

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 1210 of 1996

Allahabad this the 28th day of August, 2000

Hon'ble Mr.S.K.I. Naqvi, Member (J)
Hon'ble Mr.M.P. Singh, Member (A)

Smt. Shobhawati Devi Pasi, wife of Sri Shyamlal Pasi, resident of village and post Pawara (Mugra Badshahpur), District Jaunpur.

Applicant

By Advocates Shri K.C.K. Srivastava
Shri R.N. Singh

Versus

1. The Chief Post Master Central through Union of India, U.P. Region, Lucknow.
2. The Post Master General, Allahabad.
3. The Superintendent of Post Offices, Jaunpur.
4. Mr. Bhajuram, son of Ram chandra, resident of Village and Post Pawara (Mugra Badshahpur) District : Jaunpur.

Respondents

By Advocate Shri Amit Sthalekar

O R D E R (Oral)

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

Smt. Shobhawati Devi has come up seeking relief to the effect that the appointment of respondent no.4 be set aside and the respondent no.3 be directed to appoint her as Branch Post Master of E.D.B.P.M. Pawara (Mugra Badshahpur) District Jaunpur.

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2. As per applicant's case, she belongs to S.C. community and fulfills all the requirements for the job and was also sponsored by the Employment Exchange ~~along~~ along with 4 others, but her candidature has wrongly been rejected on the ground that she was not having her own source of income/livelihood, whereas she is having her own landed property and having income therefrom and her husband also earns Rs.500/- per month, which is also ~~her~~ source of ~~livelihood and therefore her~~ candidature ~~has~~ ~~wrongly been rejected~~. Therefore, she has come up before the Tribunal.

3. The respondents have contested the case and filed the counter-reply. According to which, to fill in the post in question, a requisition was sent to the Employment Exchange who sponsored 5 candidates. Necessary inquiries relating to verification of character and antecedents, independent source of income and monthly income of the candidates were ~~not~~ made through the District Magistrate, Jaunpur. On receipt of inquiry reports of the District Magistrate, Jaunpur and Sub Divisional Inspector, Post Offices, Machhlishahar(Jaunpur), the suitability of all the candidates for the post was examined by the appointing authority i.e. Superintendent of Post Offices, Jaunpur and the findings were recorded, copy of which has been filed as annexure C.A.-1. According to which, the applicant was not found eligible for being appointed on the vacant post as she

had no landed property ~~on~~ her name and was reported to be fully dependent on her husband. On this ground, the respondents have pleaded that the O.A. deserves to be dismissed being devoid of merit.

4. Heard, the learned counsel for the parties and perused the record.

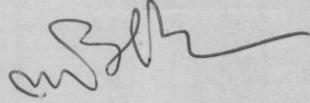
5. Perusal of annexure C.A.-1 and C.A.-2 goes to show that the inquiry reports in respect of all the 5 candidates were taken into consideration and scrutinised and at that stage candidature of the applicant-Smt. Shobhawati Devi was rejected and she was not included in the list of eligible candidates as submitted through annexure C.A.-2. The applicant has filed copy of sale deed through which she became owner of 0.109 acre of land in village Pawara, Tehsil Machhli-shahar, District Jaunpur. This sale deed is ~~has~~ registered adjudicated prior to date when process to fill in the post in question started and, therefore, it ought to have been taken into consideration while assessing the eligibility of sponsored candidates..

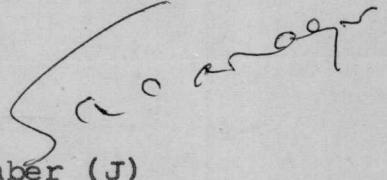
6. For the above, we find that the matter deserves to be re-considered by the authorities in the department and, therefore, the respondents are directed to re-consider the eligibility of the sponsored candidates within 4 months from the date of communication of this order, as per report annexure C.A.-1 and take into consideration

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the landed property of Smt. Shobhawati Devi, and in case she is found more suitable candidate ^{other sponsored candidates} than the respondent no. 4, she may be considered for appointment. It is provided that ~~that~~ till the process is completed, the ~~present~~ incumbent ^{shall} to the post, ~~should~~ not be disturbed. The O.A. is disposed of accordingly. No order as to costs.


Member (A)


Member (J)

/M.M./