

OPEN COURT

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

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Allahabad : Dated this 12th day of November, 1997

Original Application No. 1189 of 1997

District : Aligarh

COURT

Hon'ble Mr. Justice B.C. Saksean, V.C.

Hon'ble Mr. S. Das Gupta, A.M.

Suresh Chand Gupta, S/o Shri Jai Ram,
E.D. Branch Post Master, Kalwa Distt. Aligarh.

(By Sri Sanjay Goswami, Advocate)

..... Applicant

Versus

1. The Secretary, Ministry of Communication (Dept. of Posts), New Delhi.
2. The Director of Postal Services, Office of Post Master General, Agra Region, Agra.
3. The Sr. Supdt. Post Offices, Aligarh Division, Aligarh.

..... Respondents

ORDER (Overall)

Hon'ble Mr. Justice B.C. Saksean, V.C.

Through this OA, the applicant challenges the order dated 5-11-1997 by which the order putting off duty passed against one Shri Chiranjit Lal Sharma, E.D.A. at Kalwa has been revoked. It is necessary to note that the applicant was given provisional appointment when the order for putting off duty was passed against Chiranjit Lal Sharma.

2. We have put to the learned counsel for the applicant to indicate what locus standi the applicant has to challenge the order by which the putting off duty has been revoked. The learned counsel for the applicant only submitted that the applicant's appointment was made till conclusion of the departmental proceedings against Shri Chiranjit Lal. We are ~~not~~ satisfied ~~with~~ that

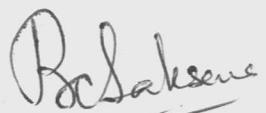
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this condition was indicated in Annexure-A-2 to the appointment letter. The order of appointment has to be read as a whole. In Para 3, it was clearly stated that if ever it is decided to take Shri Chiranjit Lal back in services, the provisional appointment will be terminated without notice. That being so, the applicant's right is in no manner effected by the order passed. The applicant has no locus standi to challenge the said order. The OA is, therefore, dismissed summarily as not being maintainable at the behest of the learned counsel for the applicant.



Member (A)



Vice Chairman

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