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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Allahabad this the 7th day of February 2001.

Original Application no. 276 of 1997.

Hon'ble Mr. Justice R.R.K. Trivedi, Vice-Chairman  
Hon'ble Mr. M.P. Singh, Administrative Member

Gul Mohd. Ansari, S/o Sri Sobrati,  
permanent resident of Village and Post  
Belawa (Rampur), District Deoria, persently  
posted and working as Branch Post Master  
Belawa (Rampur), Deoria.

... Applicant

C/A Shri V.K. Srivastava

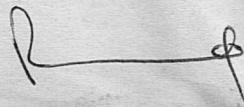
Versus

1. Union of India through Post Master General,  
Gorakhpur Region Gorakhpur.
2. Sub-Civisional Inspector of Post Offices,  
East Sub-Division, Deoria.
3. Ramjee Singh, EDMP, at Branch Post Offices  
Z Pipara Madan Gopal, Distt. Deoria.
4. Senior Superintendent Posts, Sub-Division Deoria,  
Distt. Deoria.

... Respondents

C/Rs. Km. Sadhana Srivastava

...2/-



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O R D E R (Oral)

Hon'ble Mr. Justice R.R.K. Trivedi, Vice-Chairman

By this OA under section 19 of the A.T. Act, the applicant has challenged the order dated 12.01.1997 by which he has been asked to handover the charge of Extra Departmental Branch Post Master, Belawa (Rampur) Distt. Deoria to Ramjee Singh( Respondent no. 3 ).

2. The facts in short giving rise to controversy are that the permanent incumbent of this post was involved in departmental proceedings relating to embezzlement/ misuse of the Government fund. He was put off duty and in his place the applicant, who was already serving as Extra Departmental Mail Peon, was asked to discharge the duties of EDBPM. The applicant was also required to provide a substitute to work as EDM. By the impugned order, the applicant has been asked to handover the charge to respondent no. 3. It is not disputed that respondent no. 3 is not regular selectee. An ad-hoc arrangement cannot be substituted by another adhoc arrangement, which has been done in this case. The order suffers manifest illegality.

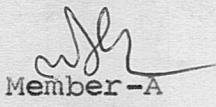
3. Km. Sadhana Srivastava, learned counsel for the respondents has submitted that the respondents may be permitted to conclude selection proceedings at the earliest so that regularly selected candidate may join the post.

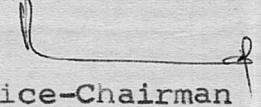
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4. The OA is thus allowed. The order dated 12.01.1997 is quashed. The applicant Gul Mohd. Ansari shall be allowed to discharge the duties of EDBPM until regularly selected candidate joined the post. The respondents are directed to conclude the selection proceedings within a period of 3 months from the date of copy of this order is filed. No order as to costs.

  
Member-A

  
Vice-Chairman

/pc/