

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 6TH DAY OF SEPTEMBER, 2000

Original Application No.594 of 1997

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MR.M.P.SINGH, MEMBER(A)

Kameshwar Prasad Prajapati, Son of  
Shri Chaurati Prasad Prajapati,  
R/o village and Post Kota(Dala) District  
Sonbhadra

... Applicant

(By Adv: Shri B.N.Singh)

Versus

1. Union of India through the Director General  
Postal Services, Govt. of India,  
New Delhi.
2. Senior Superintendent of Post Offices  
Sonbhadra
3. Sub Divisional Inspector of Post Offices  
Southern Sub Division, Robertsganj  
District Sonbhadra.
4. District Employment Exchange Officer  
Robertsganj, Sonbhadra.

... Respondents

(By Advs:S/Shri prashant Mathur,K.P.Singh)

O R D E R(Oral)

(By Hon.Mr.Justice R.R.K.Trivedi,V.C.)

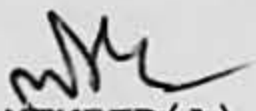
In this application u/s 19 of A.T.Act 1985, the grievance of the applicant appears against the letter dated 5.4.1997 of respondent no.3 by which he requested respondent no.4 to forward the names for appointment as E.D.Runner. The respondent no.4 in its turn forwarded five names. However, name of the applicant was not included. Apprehending that his claim will not be considered for regular appointment, he has filed this application. After hearing counsel for the parties at length in out opinion it is not necessary for us to examine the contention whether the name of the applicant could be forwarded by employment exchange or not, <sup>as</sup> in view of the order dated 23.2.1987 of Post Master General U.P.Circle, Lucknow provides that the substitute E.D.Runner may also be considered for appointment.

if he satisfies conditions provided therein. The last paragraph of the letter which is relevant for the present controversy reads as under:-

"इस सम्बन्ध में यह निर्णय लिया गया कि वे एवजीदार जो नियुक्ति के लिये सभी योग्यता तथा अन्य शर्तें पूरी करते हैं तथा उनकी नियुक्ति के समय सेवायोजना कार्यालय से उनके नाम प्राप्त हुये हों, उनको उनकी नियमित नियुक्ति के समय उदारता पूर्वक विचार किया जाये।"

In our opinion the name of applicant for appointment as ED Runner on regular basis should also be considered alongwith the names received from the employment exchange. Hon'ble Supreme Court in case of 'Excise Superintendent Malkapatnam Vs. K.B.N.Viseswara Rao, 1996 SCC(L&S) 1420 has also said that names received from the sources other than employment exchange, should also be considered for appointment.

For the reasons stated above, we dispose of this application finally with the direction to the Respondent no.3 to consider the claim of the applicant for appointment on regular basis as ED Runner in the light of the order of the Post Master General mentioned above alongwith the names received from the employment exchange. As, in view of the interim order selection could not take place, we direct that the proceedings for selection shall be concluded within three months. There will be no order as to costs.

  
MEMBER (A)

  
VICE CHAIRMAN

Dated: 6.9.2000

Uv/