

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 26th Nov.2001.

QUORUM : HON. MR. S. DAYAL, A.M.

HON. MR. RAFIQUDDIN, A.M.

O.A. NO.809 of 1997.

1. Sri Subhas Chandra Yadav s/o Sri Nand Lal Yadav r/o
Village and P.O. Chak Lal Chandra, District Azamgarh.
..... Applicant.

Counsel for applicant : Sri S.K. Verma.

Versus

1. Girish Chandra Yadav s/o Sheo Kumar Yadav, Village &
P.O. Chak Lal Chandra, District Azamgarh.
2. Employment Exchange through its Yojna Adhikari, Azamgarh.
3. Inspector of Post Offices, Eastern Sub-Division, Azamgarh
4. Post Master, Post Office, Chak Lal Chandra, Azamgarh.
5. Union of India through Secretary Postal and Telegraph
Department, New Delhi.

..... Respondents.

Counsel for respondents : Sri K.P. Singh.

ORDER (ORAL)

BY HON. MR. S. DAYAL, A.M.

This application has been filed for setting aside the appointment letter dated 9.7.97 of Respondent No.1. The applicant also seeks direction to the respondents to hold the selection again and consider the candidature of the applicant.

2. The case of the applicant is that the post of Extra Departmental Mail Runner in the post office Chak Lal Chandra, Azamgarh fell Vacant on retirement of the Extra Departmental Mail Runner Sri Sumer Yadav on 19.5.97. The names for filling up the post were requisitioned by the respondents from employment exchange. The applicant claims that he had also got registration on 17.9.91 and his Registration No; in employment was 7801 of 91. He

He

claims that the employment exchange submitted the names of persons who were registered after him. He made a representation to the Inspector of Post Office, Eastern Division, Azamgarh, which was not considered.

3. We have heard the Counsel for applicant and Counsel for Respondent No.2.

4. We have seen the counter reply filed by the respondents. The respondents explained that the applicant was registered under Code No. X01.20 while the names requisitioned were of candidates who had passed 8th standard. Since the applicant's name was not registered under proper educational code, his name was not sent by the employment exchange.

5. We find that Respondent No.1 had been appointed on 9.7.97 as per the averments of the applicant. The list was sent by the employment exchange on 19.6.97. The applicant made his first representation on 28.6.97 addressed to the Inspector, Eastern Region, Azamgarh stating that the list sent by employment exchange did not contain his name. He sought consideration of his name by sending another representation along with certificates on 3.7.97.

6. We do not find that the applicant had applied against ~~requisition~~ ^{applied} or ~~replied~~ within time for submission of names against specific requisition made by the respondents. The sole ground that his name was not considered by the employment exchange although he was eligible, does not entitle him to the relief sought in the O.A. The O.A. is, therefore, dismissed. No order as to costs.

Dayal Mehta
D.M.

A.M.
A.M.

Asthana/