

Open Court.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

ORIGINAL APPLICATION NO. 12 of 1998.

this the 2nd day of July 2001.

HON'BLE MR. S. DAYAL, MEMBER (A)
HON'BLE MR. RAFIQ UDDIN, MEMBER (J)

Brijesh Kumar Singh, S/o Sri Abhay Raj Singh, aged about
25 years, R/o Village & post Prithvipur, Handia, Allahabad.

Applicant.

By Advocate : Sri K.P. Srivastava.

Versus.

1. Union of India through the Secretary, Ministry of Communication, Departments of posts, Govt. of India, New Delhi.
2. The R.D.Ps Office of the P.M.G., Allahabad.
3. The Sr. Supdt. of post Offices, Allahabad Division, Allahabad.
4. Sri Rajesh Kumar Singh, S/o Sri Dharam Raj Singh R/o Village Itiha, Ibrahimpur, P.O. Prithvipur, Handia, Allahabad.

Respondents.

By Advocate : Sri S.K. Pandey for Sri S. Madhyan.

ORDER (ORAL)

S. DAYAL, MEMBER (A)

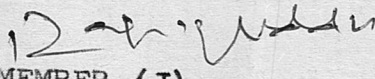
This application under Section 19 of the Administrative Tribunals Act, 1985, has been filed for setting-aside the selection and appointment order dated 4.9.1997 in favour of the respondent no.4 for the post of EDBPM, Prithvipur, Handia, Allahabad. A further direction is sought to consider the claim of the applicant for appointment as EDBPM, Prithvipur Branch post Office, District Allahabad.

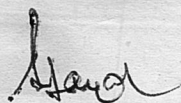
2. The case of the applicant is that on retirement of Sri Abhai Raj Singh, the post of EDBPM, Prithvipur Branch Post Office, fell vacant on 13.1.1997. The applicant was ordered to work on provisional basis as EDBPM till the regular selection was made. It is stated that the respondent no.3 had initiated the process of recruitment and called for five names of the candidates from the Local Employment Exchange. As the Employment Exchange did not send the names of eligible candidates within time, the respondent no.3 i.e. SSPO, Allahabad notified the vacancy locally and called for applications from willing candidates directly. Nine applications were received and the respondent no.4 was selected. The applicant made a representation to the effect that the respondent no.4 did not fulfil the eligibility condition as he was not a resident of village Prithvipur. He was a resident of village Itiha Ibrahimpur, P.O. Prithvipur, Handia, Allahabad. It is claimed that the respondent no.4 submitted a false and bogus certificate mentioning that he is a resident of village Prithvipur. It is also claimed that the information was found to be false and forged in verification. It is further claimed that 5.3.1997 which was the date fixed for submission of the application. It is claimed that the delay in making appointment as also opening of the Branch post Office in Village Ibrahimpur and its subsequent shifting to Prithvipur establishes that the ^{respondent no 4} ~~applicant~~ is not eligible.

3. A Division Bench of this Tribunal by order dated 7.5.1999 that the respondents should produce the recruitment file of Prithvipur Branch Post Office alongwith all the necessary papers for recruitment. The said file has not been brought and further time is being asked by the learned counsel for the respondents. We are not inclined to grant further time as sufficient time has already been allowed.

4. We find that the applicant had made a representation addressed to the Director, Postal Services, Allahabad Region on 1.12.1997. The respondent in their Counter Reply have stated that the representation of the applicant is under consideration. No reply seems to have been given to the applicant so far. Since the certain issues of facts are required to be considered by the respondents with regard to the points raised by the applicant against the respondent no.4, we consider it appropriate to direct the respondents to decide the representation of the applicant dated 1.12.1997 by a detailed and reasoned order within a period of three months from the date of communication of this order.

5. The O.A. stands disposed of as above with no order as to costs.


MEMBER (J)


MEMBER (A)

GIRISH/-