

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 5th day of February 2001.

Original Application no. 178 of 1998.

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

Hon'ble Mr. M.P. Singh, Member-A.

Subhash Chandra Singh,
S/o Shri J.S. Singh,
R/o Village Rohi,
Distt. Sant Ravidas Nagar (Bhadohi).

... Applicant

C/A Shri R.K. Pandey


Versus

1. Union of India through Post Master
General, General Post Office, Allahabad.
2. Superintendent of Post Office, Western Zone,
Varanasi.
3. Om Prakash Singh, S/o Shri S.K. Singh,
R/o Village Rohi, Post Office Rohi,
Distt. Sant Ravidas Nagar (Bhadohi).

.. Respondents

C/Rs Shri A. Sthalekar, Shri A.N. Mishra

...2/-



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O R D E R (Oral)

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

By this OA under section 19 of the A.T. Act 1985, the applicant has questioned the legality of the appointment of respondent no.3 as Extra Departmental Branch Post Master, Post Office, Rohi, Distt. Bhadohi. Learned counsel for the applicant has submitted that the name of respondent no.3 was not forwarded by Employment Exchange for consideration and his name could not be considered by the respondents for appointment. It appears that the name of respondent no. 3 was forwarded by Pradhan of the village. Then writ petition no. 8258 of 1991 was filed before Hon'ble High Court, on which direction was issued on 19.3.91 to consider the name of respondent no. 3 also for selection as EDBPM. In pursuance of the interim order dated 19.3.91, respondent no. 3 was considered and appointed. It is also not disputed that the matter is still pending before Hon'ble High Court. The special appeal no. 87/98 was filed challenging the interim order dated 27.1.98 by which, court gave liberty to pronounce the result of the selection. Consequently, respondent no. 3 was appointed. In special appeal also the interim order in writ petition has not been set aside. Special appeal is still pending.

2. In these circumstance, as the matter is still pending before Hon'ble High Court, in our opinion it will not be appropriate for this Tribunal to pass any order in this OA. The OA is disposed of accordingly.



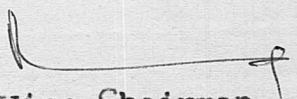
...3/-

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However, after the writ petition is disposed of,
the liberty is given to the applicant to file fresh
OA challenging appointment, if so advised.

3. No order as to costs.


Member-A


Vice-Chairman

/pc/