

Open Court.

Central Administrative Tribunal,
Allahabad Bench, Allahabad.

Dated: This the First day of December 1999.

Coram: Hon'ble Mr. S. Dayal, A.M.

Hon'ble Mr. Rafiq Uddin, J.M.

Original Application No. 429 of 1998.

Avinash Shanker Gupta
aged about 21 years son of Sri Ram Chandra Prasad Gupta
R/O Village Ghorahra,
P.O. Bhareshar,
Distt. Bariya.

. . . Petitioner.

(Through Sri Rakesh Verma, Adv.)

Versus

1. Union of India through the Secretary,
Ministry of Communications
(Department of Posts)
New Delhi.

2. The Superintendent of Post Offices,
Bariya Division ,
Bariya- 277001.

. . . Respondents.

(Through Sri Amit Sthalekar, Adv.)

Order (Open Court)

(By Hon'ble Mr. S. Dayal, A.M.)

This application has been filed for setting aside Notification dated 23.3.98 sent to Distt. Employment Exchange Officer Bariya calling for the names of suitable candidates for selection and appointment on the post of Extra Departmental

Branch Post Master Basarikpah. A direction was also sought to the respondents to consider the case of the applicant for appointment of the post of Extra Departmental Branch Post Master Branch Basarikpah (Baliya) if his name was not sponsored by the Employment Exchange.

2. The facts mentioned by the applicant are that the respondents had started action to fill up of Extra Departmental Branch Post Master Basarikpah after it ^{had} fallen vacant in February 1996. The name of the applicant along with other candidates were considered by the respondents and the applicant was appointed after being found the most suitable by order dated 17.10.96. Thus the applicant has been appointed after following the proper procedure of selection on regular basis. The respondents subsequently passed an order dated 18.3.98 giving notice of one months for termination of service of the applicant. The applicant challenged this order in O.A. No. 334/98 in A.S. Gupta Vs. Union of India and others. The operation of the order of termination was stayed and the application is continuing in service.

3. The arguments of Sri Rakesh Verma for the applicant and Sri Amit Sthalekar for the respondents have been heard.

4. Learned counsel for the applicant has mentioned that the O.A. 334/98 has since been decided on 2.11.99 and order of termination of service has been set aside. Since order of termination has been set aside no occasion remains ^{for} filling up of the post of E.D.B.P.M. Basarikpah. The application has thus become infructuous and is

disposed of as such. There shall be no order as to costs.

Rafiquddin

Member (J.)

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Member (A.)

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