

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

ORIGINAL APPLICATION NUMBER 612 OF 1998

ALLAHABAD, THIS THE 25th DAY OF JANUARY, 2005

HON'BLE MR. JUSTICE P. SHANMUGAM, VICE-CHAIRMAN
HON'BLE MR. S. C. CHAUHAN, MEMBER(A)

Shyam Vir Singh s/o Shri Baij Nath Singh,
r/o Village and Post Sakara District-Mainpuri.

....Applicant

(By Advocate : Shri P.K. Srivastava)

V E R S U S

1. Union of India through Secretary,
Department of Post, Dak Tar Bhawan,
Parliament Street New Delhi.
2. Sub Divisional Inspector of Post Offices,
Mainpuri.
3. Branch Post Master Sakara, Ku samara,
District-Mainpuri.
4. District Employment Officer,
Employment Exchange, Mainpuri.
5. Shri Awadhesh Singh Chauhan s/o Not known,
Presently working as E.D.D.A. Sakara, Post Office,
District-Mainpuri, R/o Village and Post Sakara,
District-Mainpur.

.....Respondents

(By Advocate : Km. Sadhna Srivastava
Shri K.P. Singh

O R D E R

By Hon'ble Mr. Justice P. Shanmugam, V.C.

We have heard counsel for the applicant and standing
counsel representing the department as well as the
contesting party No.4 and 5. The applicant ~~who have~~ ^{has} filed
the present original application against the selection to
the post of Extra Departmental Delivery Agent.

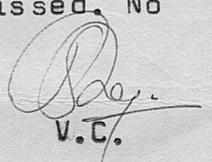
2. The main submission of learned counsel of the applicant that there is no proper notification for the selection, and therefore, the whole process is illegal and selection has to be set aside.

3. It is seen from the records that though the applicant had served as a substitute, ^{for he applied for} therefore, the regular appointment ~~sponsored~~ was notified through employment exchange. The applicant is one of the persons sponsored through employment exchange. He ~~has~~ ^{having got} the minimum required qualifications. However, since only two persons were available for consideration, the vacancy was again notified through Village Gram Pradhan. Consequently, the 5th respondent is one of the applicant. It is not indisputable that relevant rule namely Rule-2 of Section 3 of EDDA (Conduct and Service) Rules 1964 provides for preference to matriculate, though the minimum qualification is 8th standard. 5th respondent who has/ selected is high-school passed having 64.2% marks. Therefore, in so far as the merit is concerned, the applicant has no chance of being selected. The only objection of learned counsel for the applicant is that there was no proper notification for calling ^{for} /further candidates sponsored by the Employment Exchange. We do not find any bar from the rules relating to recruitment of EDDAs notified through village Gram Pradhan. This being a part time delivery agent job. The local villagers would be recruited for these posts and therefore, notification through Gram Pradhan cannot be objected. In any event applicant was considered comparably and participated in the selection and that he does not stand in comparison with the 5th respondent.

4. For the above reasons, we do not find any ground to grant the relief as prayed for. The O.A. is dismissed. No order as to costs.

A.M.

shukla/-


V.C.