

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 28TH DAY OF MAY, 2003

Original Application No. 790 of 2001

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MR.S.K.AGARWAL, MEMBER(A)

Smt. Suneeta Devi, aged about
29 years, W/o Shri Arun Kumar Mishra
R/c Vill. & P.O. Fatehpur Ghat
Via Manauri, district Kaushambi

... Applicant

(By Adv: Shri A.K.Srivastava)

Versus

1. Union of India through its Secretary, Ministry of Communication, Department of Post, New Delhi.
2. Senior Supdt. of Post Offices Allahabad.
3. Director, Postal Services Allahabad Region, Allahabad.
4. Umesh Chandra, R/o Vill.& P.O Fatehpur Ghat, Manauri Kaushambi, Allahabad.

... Respondents

(By Advs S/Shri G.R.Gupta/A.K.Dave)

O R D E R (Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

By this OA u/s 19 of A.T.Act 1985 applicant has prayed for quashing appointment of respondents as EDBPM, branch post office Fatehpur Ghat, Manauri, district Kaushambi. The last date for submitting applications for appointment was 6.3.1999. The admitted facts are that applicant submitted her application on 8.3.1999. Thereafter applicant submitted some document showing purchase of the landed property on 21.7.1999 i.e. after more than a month which was received in office on 28.7.1999.

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Respondents have filed counter reply. In para 8
whereof reads as under:-

"That for the reasons stated above her application was not considered although she has secured maximum marks in High school examination among other candidates, being incomplete on last date of receipt of application i.e. 6.3.99 and Shri Umesh Chandra whose application was complete in all respect and was second in marks basis on the last date of receipt of application was appointed."

It is clear from the record that the property was acquired by applicant on 15.6.1999 i.e. after 6.3.99 and mutation was done in katauni in favour of applicant on 5.1.2000. the other document namely income certificate was also issued on 8.3.1999 i.e. after the cut off date. Considering this aspect of the matter, in our opinion applicant has failed to make out any case calling for our interference by quashing the appointment of respondent no.4.

The application has no merit and is accordingly dismissed. No order as to costs.


MEMBER (A)


VICE CHAIRMAN

Dated: 28th May, 2003

Uv/