

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION No.1087/2001

FRIDAY, THIS THE 19TH DAY OF APRIL, 2002

HON'BLE MR. JUSTICE R.R.K. TRIVEDI .. VICE CHAIRMAN

HON'BLE MAJ. GEN. K.K. SRIVASTAVA .. MEMBER (A)

Kultej Kumar,
S/o Shri Buddha Lal,
Village & Post Gaushpur
Kathula, Kaushambi,
Allahabad.

... Applicant

(By Advocate Shri A. Srivastava)

Versus

1. Union of India,
through Secretary,
Ministry of Communication (Posts),
New Delhi.

2. Senior Superintendent of
Post Offices, Head Post Office,
Allahabad.

... Respondents

(By Advocate Shri R.C. Joshi)

ORDER

Hon'ble Mr. Justice R.R.K. Trivedi, Vice Chairman:

By this O.A. under Section 19 of the A.T. Act,
the applicant has challenged the order dated 22.8.2001
~~by which~~ ^{persecuted by} the Senior Superintendent of Post Offices,
Allahabad, by which he has directed to dis-engage the
applicant from the post of E.D.B.P.M., Post Office Gaushpur,
Kathula, Kaushambi, District Allahabad.

2. The facts are that the applicant was allowed to
discharge the duties of E.D.B.P.M. of the above Post office
with effect from 15.3.1997, in place of Shri Buddha Lal,



...2..


who was promoted in a Group 'D' post.

3. It is not disputed that the applicant has not been selected for appointment on the post and that steps for selection in which the applicant's name is also to be considered, have been initiated and they are in progress. In the circumstances, we need not interfere at this stage. The selection proceedings may be completed in accordance with rules. However, till the selection is completed, the applicant shall be allowed to continue in the post. A copy of this order shall be sent to the Post Master General, Uttar Pradesh, for enquiry as to how the applicant was allowed to continue from 15.3.1997 till date though he was not selected for appointment. We apprehend that it is a collusive action on the part of the department and that those who are required to make selection, have allowed the applicant to continue in service from 15.3.1997 till date. This would create a right in favour of the applicant. Such a thing must come to an end. We hope, the Chief Post Master General, shall conduct inquiry and take

suitable action in the matter. O.A. is disposed of

unsuccessfully. 100 costs as to costs.


MEMBER (A)


VICE CHAIRMAN

psp.