

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD
BENCH ALLAHABAD**

(THIS THE 13th DAY OF January 2010)

*Hon'ble Mr. A.K. Gaur, Member (J)
Hon'ble Mrs. Manjulika Gautam, Member (A)*

Original Application No.1126 of 2004

(U/S 19, Administrative Tribunal Act, 1985)

Uma Shanker Mishra, son of Shri Krishna Nnd Mishra, R/o Village
Brahmanpur, Post Office Sarai Harkhu, District Jaunpur.

..... *Applicant*

Versus

1. Union of India Ministry of Post and Telegraphs, New Delhi.
2. Post Master General, Allahabad.
3. Superintendent of Post Offices, Jaunpur.
4. Sub Divisional Inspector Post Offices, Machhali Shahr, Jaunpur.

..... *Respondents*

Present for Applicant : Shri R.K. Yadav

Present for Respondents : Shri R.K Srivastava

O R D E R

(Delivered by Hon'ble Mr. A.K. Gaur, J.M.)

We have heard Shri R.K. Yadav, learned counsel for the applicant and Shri R.K. Srivastava, learned counsel for the respondents.

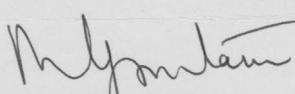
2. Learned counsel for the respondents raised preliminary objection that this O.A. is not maintainable. Representation

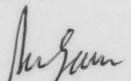
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filed by the applicant has already been decided by the Competent Authority. The applicant was not found to be entitled for job on the grounds that the impugned appointment order dated 12.3.2001 was issued by the S.D.I (P), Machhalishahar without observing any necessary formalities before issuing the order. S.D.I (P) issued the appointment order dated 12.3.2001 declaring the applicant as a retrenched employee. The contention of the S.D.I (P), Machhalishahar was totally incorrect because neither the applicant was previously appointed in the department against any E.D. post nor did he serve the department for three years till 12.3.2001.

3. Learned counsel for the applicant stated that Post Master General has not afforded any opportunity of hearing to the applicant and decided his representation in a most casual and perfunctory manner without granting personal hearing

4. We have given our anxious thought to the pleas advanced by the learned counsel for the parties. There is no provision for grant of personal hearing to the applicant while deciding the representation of the applicant. The representation has already been decided by a reasoned and speaking order. There is no force in the contention of the applicant, accordingly the O.A. is dismissed. No costs.


Member (A)


Member (J)

Manish/-