

Open Court.

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD.

Original Application No.1169 of 2004.

Allahabad this the 08th day of October, 2004.

Hon'ble Mr. A.K. Bhatnagar, Member-J.
Hon'ble Mr. S.C. Chaube, Member-A.

Jankee Prasad Pandey
son of Surya Mani Pandey
R/o Village and Post Office Sabdeiya Kala,
District Basti.

.....Applicant.

(By Advocate : Sri N.K. Pandey)

Versus

1. Union of India
through Secretary
Ministry of Communication,
New Delhi.
2. Senior Superintendent Post Office,
Basti.
3. Sub- Divisional Inspector of Post Office,
Basti.
4. Employment Officer,
Employment Exchange Basti.
5. Kumari Santosh D/o Raja Ram
R/o Village Barahata, P.O.
Suggapankhi District Sant Kabir Nagar.

.....Respondents.

(By Advocate : Sri Saumitra Singh)

O_R_D_E_R

(By Mr. A.K. Bhatnagar, J.M)

By this O.A., the applicant has prayed for quashing the impugned order dated 15.07.2004 passed by respondent No.2 (Annexure A-1). He has further sought a **direction** to respondent No.2 to cancel the appointment of respondent No.5 and give the appointment to the applicant on the post of Branch Post Master, Sabediya Kalan Basti.

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2. The brief facts of the case as per the applicant are that he applied for the post of Branch Post Masteriya in pursuance of the notification dated 05.03.2003. The grievance of the applicant is that he ^{was} ~~has~~ having all requisite qualifications for the post but the respondents have illegally appointed respondent No.5 ignoring the claim of the applicant. Earlier he filed O.A. No.549 of 2004 which was disposed of on 25.05.04 by which respondents were directed to look into the matter and decide the representation of the applicant filed by him on 31.03.2004 within a period of two months. In compliance of above order, Superintendent of Post Offices, Basti, respondent No.2 passed an order dated 15.07.2004 explaining the facts and circumstances in which the appointment of the respondent No.5 was made.

3. We have gone through the letter dated 15.07.2004 filed by the applicant along with this O.A. which we find a very detailed and reasoned order. It is clearly mentioned in this letter that the name of the applicant was at Sl. No.14 in the Comparative Chart prepared by the respondents so five candidates ^{who} secured better marks were taken into consideration as the name of the applicant was at Sl. No.14 so he was not ^{found} suitable for that post.

4. Learned counsel for the applicant submitted that the applicant ^{was} ~~has~~ having all the requisite qualifications for the post but he has not been selected while the respondent No.5 ^{who} was not having any house accommodation ^{even} or her name was not sponsored by the Employment Exchange and she was also not having other requisite qualification as prescribed by the Department so the case of the applicant ^{should have been} ~~be~~ considered for that post.

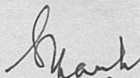
5. Learned counsel for the respondents submitted that the order passed by the Department is perfectly

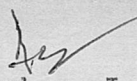
legal and does not ^{require} ~~deserve~~ any intervention of the Court.

6. We have heard counsel for the parties and perused the record.

7. After perusal of the letter dated 15.07.04, we are of the considered opinion that the order passed by the Department is a detailed and reasoned order and has been passed after due consideration. We find no illegality in the order passed by the respondents, Therefore, the O.A. is dismissed in limine being devoid of any merit.

No costs.


Member-A.


Member-J.

Manish/-