

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 1248 of 2004

Dated: This the 29th day of October, 2004

HON'BLE MRS. MEERA CHHIBBER, J.M.
HON'BLE MRS. ROLI SRIVASTAVA, A.M.

Smt. Suman Tripathi wife of Dinesh Chandra Tripathi,
resident of Village and Post Mohammadpur, District
Ballia.

Applicant.

By Advocate : Shri Mohan Yadav

Versus

1. The Union of India through Secretary Ministry of Communication, South Block, New Delhi.
2. Post Master General, Gorakhpur Parimandal, Gorakhpur.
3. The Superintendent of Post Offices, Ballia Mandal, Ballia.
4. Subhash Chandra son of Shri Shiv Murti Ram, resident of Village and post Bhimpura, Ballia presently posted as Post Master Dak Sewak Post Master, Post Office Mohammadpur, District Ballia.

Respondents.

By Advocate : Shri Saumitra Singh

O R D E R

By Hon'ble Mrs. Meera Chhibber, J.M.

By this O.A. applicant has sought quashing of the appointment order dated 12.3.2003 issued in favour of respondent no.4 with a further direction to the respondents to appoint the applicant on the post of **Gramin Dak Sewak Post Master, Post Office Mohammadpur, District Ballia.**

2. It is stated by the applicant that she had secured 367 marks out of 600 in the High School while Shri Subhash Chandra had secured 361 marks out of 600 as such she is entitled to get appointment in place of respondent no.4. Being aggrieved she gave a representation to the

Superintendent of Post Offices, Ballia Mandal, Ballia on 07-10-2003 through registered post. ~~He~~ She had further given another representation on 10-10-2003 through registered post followed by representation dated 19.7.04 again sent through registered post but till date none of ~~his~~ representations have been decided by the Authorities. Applicant has also filed an application under section 5 of the Limitation Act stating therein that ~~he~~ she had applied for the post of Gramin Dak Sewak Post Master Mohammadpur, pursuant to notification dated 11.11.2002 ~~but~~, but ignoring the claim of applicant one Shri Subhash Chandra was given appointment, which fact came to the notice of applicant only on 04.09.2003 and immediately thereafter she moved representation, but since no reply has been given to her, she has no other option but to file the present O.A.. It is submitted by the applicant that since she was pursuing the matter with the lower authorities, delay may be condoned.

3. Perusal of the O.A. shows that all the representations were sent through registered post, which means applicant was pursuing the cause, accordingly application for ~~delay~~ ^{of delay} condonation is allowed. Since respondents have not even applied their ~~minds~~ ^{to} to the grievance raised by the applicant, we think it would be better if this O.A. is disposed off at the admission stage itself without going into the merits of the case by giving a direction to the respondent no.3 to apply his mind to the grievance raised by the applicant and to dispose off the same by passing a reasoned and detailed order under intimation to the applicant within a period of three months from the date of receipt of a copy of this order.

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4. With the above direction this O.A. is disposed off
at the admission stage itself with no order as to costs.

Brijesh
Member (A)

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Member (J)

Brijesh/-