

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.1394 OF 2004
ALLAHABAD THIS THE 18TH DAY OF FEBRAURY, 2005

HON'BLE MR. JUSTICE S. R. SINGH, VICE-CHAIRMAN
HON'BLE MR. S. C. CHAUBE, MEMBER-A

Om Prakash Pandey,
Son of Late Indrasan Pandey,
resident of Village Sitakund,
New Basti, Post Sitakund,
District-Ballia, presently working
as Branch Post Master Daya Chhapara,
District-Ballia.

. Applicant

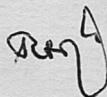
(By Advocate Shri A. Tewari)

Versus

1. Union of India,
through Secretary,
Ministry of Communication (Department of Post)
Dak Bhawan, New Delhi.
2. Post Master General, Gorakhpur Region,
Gorakhpur.
3. Superintendent of Post Office,
Ballia Division, Ballia.
4. Smt. Puspa Singh, wife of Vinod Kumar,
Singh, resident of Village and Post
Office Sabha Chhapara, District-Ballia.

. Respondents

(By Advocate Shri Rajeev Sharma)



O R D E R

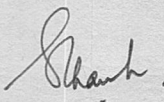
HON'BLE MR. JUSTICE S. R. SINGH, VICE-CHAIRMAN

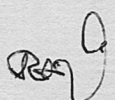
Impugned herein is the order dated 06.12.2004 whereby the termination of service of Smt. Pushpa Singh, GDS BPM, Daya Chhapra and order of appointment of the applicant issued by office memo dated 30.08.2004, have been held in abeyance till further order ^{Pursuance of} in ^{Post} direction. Master General, Gorakhpur Region, Gorakhpur. It appears that Smt. Pushpa Singh had earlier instituted O.A. No.983/2003 Smt. Pushpa Singh Vs. Union of India and three others including the present applicant. The said O.A. was disposed ^{of} vide order dated 13.07.2004 with certain directions. Acting upon the direction given by the Tribunal vide order dated 13.07.2004, the matter was taken up by the Superintendent of Post Office, Ballia. The question to be considered ^{is} ^{was} whether the applicant Om Prakash Pandey had secured highest marks in the High School Examination. A doubt was raised about the genuineness of the marksheet and certificate being relied on by the applicant Om Prakash Pandey. On enquiry the marksheet and certificate of the applicant have been found to be genuine and as such, by order dated 30.8.2004 the applicant ^{came} ^{was} to be appointed as GDS BPM, Daya Chhapara with a stipulation that his employment as GDS BPM would be in the nature of a contract, liable to be terminated by him or by the Superintendent of Post Office, Ballia by informing the other in writing and his conduct would be governed by

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the Department of Post Gramin Dak Sewak (Conduct and Employment) Rule, 2001. The applicant, it is alleged, joined his duties pursuant to the said order on 23.09.2004. ~~However~~^{By} impugned order, the appointment of the applicant has been kept in abeyance without disclosing any reason. However, the order impugned herein is in the nature of an interim order pending final order. It would, therefore, be in the ^{fitness &} findings of the things to dispose of the present O.A. with a direction to Superintendent of Post Office, Ballia to take appropriate decision in the matter in accordance with law expeditiously within a period of six weeks from the date of receipt of a copy of this order. Status-quo as on date with regard to the functioning of the concerned Post Office pending decision by the Superintendent of Post Offices.

2. Accordingly, the O.A. is disposed of in terms of the above direction. No Costs.


Member-A


Vice-Chairman

/ns/