

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 20th day of January, 2005.

Original Application No. 1465 of 2004.

Hon'ble Mr. Justice S.R. Singh, Vice-Chairman.
Hon'ble Mr. S.C. Chaube, Member- A.

Asha Ram Kushwaha a/a 44 years,
S/o Sri Munni Lal, vill. and Post-Bhadsan,
Distt. Auraiya.

.....Applicant

Counsel for the applicant :- Sri K.S. Saxena

V E R S U S

1. Union of India through the Secretary,
Communication (Postal), Govt. of India,
Sansad Marg, New Delhi.
2. The Post Master General,
Agra Region, Agra.
3. The Superintendent of Post Offices,
Etawah Division, Etawah.

.....Respondents

Counsel for the respondents :-

O R D E R

By Hon'ble Mr. Justice S.R. Singh, VC.

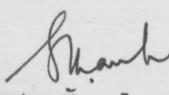
The applicant herein has instituted the instant O.A for issuance of ~~the~~ direction to the Superintendent of Post Offices, Etawah to re-engage him on the post of GDSMD, Bhadsan quashing the verbal termination order, if any. The applicant has also prayed for reinstatement with continuity in service and consequential benefits as pay and allowances.

2. It would appear that the applicant had approached the Tribunal earlier by means of O.A No. 584/04 which was disposed of with direction to the Superintendent of Post Offices, Etawah Division, Etawah to consider and decide the applicant's

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representation. By order dated 25.08.2004 the representation filed by the applicant has been rejected holding that the applicant had worked simply as substitute of one Sri Dinesh Kumar Saxena and was discharged on joining of incumbent of the post namely Sri Dinesh Kumar Saxena. It would appear from the order dated 25.08.2004 that Sri D.K. Saxena, GDSMD, Bhadsan (Aheripur), Auraiya was ordered by the ASPOS, Auraiya Sub Division vide his letter dated 24.06.2002 to work as GDSBPM, Bhadsan vice Sri Hari Shankar Chaturvedi, GDS BPM, Bhadsan who was going to retire on 04.07.2002 (AN). Sri Dinesh Kumar Saxena engaged the applicant as substitute on his own responsibility to work on post of GDS, MD, Bhadsan. The applicant, it appears, worked from 04.07.2002 (AN) to 20.02.2003 and was relieved from the post of GDSMD, Bhadsan on 20.02.2003 (AN) on joining of Sri D.K. Saxena. The applicant, in our opinion, has acquired no right to continue on the post since he was engaged as substitute in place of Sri D.K. Saxena.

3. In the facts and circumstances of the case, no interference is warranted in the O.A and the same is liable to be dismissed at the admission stage. The O.A is accordingly dismissed with no costs.


Member-A.


Vice-Chairman.

/Anand/