

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.549 OF 2004
ALLAHABAD THIS THE 25TH DAY OF MAY, 2004

HON'BLE MR. A. K. BHATNAGAR, MEMBER-J
HON'BLE MR. S. C. CHAUBE, MEMBER-A

Jankee Prasad Pandey,
son of Sri Suryamani Pandey,
resident of Village & Post Office-
Sabdeiya Kalan, Tehsil and District-Basti.

.....Applicant

(By Advocate Sri J.K. Srivastava)

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 Kumari, Daughter of
Sri Raja Ram , Resident of Village-Barahata,
Post Office-Sugapanti, District-Sant Kabir Nagar
(Khalilabad).

.....Respondents

(By Advocate Sri K.P. Singh)

JK

ORDER

HON'BLE MR. A. K. BHATNAGAR, MEMBER-J

By this O.A. filed under section 19 of Administrative Tribunals Act 1985, the applicant has prayed for quashing the appointment of the respondent no.5 namely Kumari Santosh Kumari and further prayed for a direction to the respondents to give the appointment to the applicant on the post of Postman, Branch Post Master, Basti.

2. The brief facts as per the applicant is that he applied for the post of Postman after collecting the form from the Village Pradhan of Sabdeiya Kalam, District-Basti and submitted it alongwith the required documents in the office of Superintendent Post Office Basti which was received in the office on 02.04.2003 which is evident from perusal of Annexure A-1. In pursuance to this a letter dated 08.01.2004 was issued by Superintendent Post Office Basti to the applicant in which it is mentioned that the required application form is being sent to the applicant who should file the same duly completed alongwith required documents in his office by 23.01.2004 (Annexure A-4).

3. The learned counsel for the applicant submitted that he filed the application form as required by the department alongwith the required documents on 21.01.2004 but no action has been taken so far by the respondents. The learned counsel for the applicant also submitted that he has come to know that one kumari Santosh Kumari has been appointed on this post ignoring the claim of the applicant whose name was also sponsored by Employment Exchange.

4. The learned counsel for the applicant finally submitted that he has filed a representation dated 31.03,2004

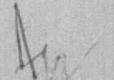
filed as Annexure A-4 to the O.A. to Chief Post Master General, Lucknow with a copy to Superintendent Post Office Basti through registered post. The copy of the receipts has already been filed alongwith this O.A. Learned counsel for the applicant submitted that he will be satisfied if the representation of the applicant is decided as per extent rules within a specified period.

5. In view of the above, we do not consider it necessary for calling CA at this stage as this O.A. can be disposed of at the admission stage itself by issuing a direction to the competent authority to decide the representation filed by the applicant on 31.03.2004 by a reasoned and speaking order.

6. Accordingly the O.A. is disposed of with a direction to respondent no.2/competent authority to look into the matter and decide the representation of the applicant dated 31.03.2004 within a period of two months from the date of receipt of a copy of this order.

7. There shall be no order as to costs.


Member-A


Member-J

/Meelam/