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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

ORIGINAL APPLICATION NO. 317 OF 2005.

ALLAHABAD THIS THE 10TH DAY OF JULY 2006.

Hon'ble Mr. A.K. Singh, A.M
Hon'ble Mr. M. Kanthaiah, J.M

Harikesh Kumar Tripathi S/o Sri Devi Mani Tripathi, R/o Village Jaipalpur, Post Ramnagar, District Jaunpur.

.....Applicant.

(By Advocate: Sri S.K. Mishra)

Versus.

1. Union of India through the Secretary, Ministry of Communication Department of Posts, Sanchar Bhawan, New Delhi.
2. Post Master General, U.P Lucknow.
3. Superintendent of Post District Jaunpur.
4. Munshi Lal Patel, R/o Village Raipur, Post Raipur, District Jaunpur.

.....Respondents

(By Advocate: Sri Saumitra Singh)

O R D E R

By Hon'ble Mr. A.K. Singh, A.M

Heard Sri S.K. Mishra counsel for the applicant and Sri A. Dwivedi holding brief of Sri S. Singh counsel for the respondents.

2. Learned counsel for the applicant submits that the applicant passed High School as well as Intermediate Examination in the first division and his name was duly registered in the Employment Office, Jaunpur as an educated unemployed person as per Registration NO.5922/03. The applicant applied for appointment to the post of B.O.E.D.E.D.M.C in Post Office Raipur, District Jaunpur in response to the advertisement of Department of Posts & Telegraphs. The applicant appeared at the trade test, qualified for the same and placed at second position in

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2.

order of merit in the list of successful candidates. Subsequently, in case of respondent No.4 Munshi Lal Patel of the address given in the O.A., who was placed at Sl. NO.1 in the aforesaid selection list, the marksheets submitted by respondent NO.4 was found forged and hence his appointment to the above post was cancelled. Applicant, therefore, holding the second position in the merit list, thus became eligible for appointment to the aforesaid post. Accordingly, applicant submitted a representation to the Superintendent of Post Offices on 8.9.04 and to the Post Master General, Lucknow on 25.10.04 for considering his case for appointment to the aforesaid post on merit. The application in question is pending with the aforesaid Authority without any decision. Learned counsel for the applicant submits that he will be satisfied if his abovementioned representation is decided by the respondent NO.3, within a specified period, in accordance with Rules.

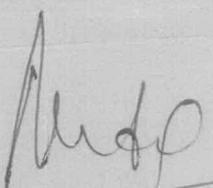
3. We have considered the submissions made by learned counsel for the applicant. We feel that the interest of justice will be adequately met if respondent NO.3 is directed to consider and decide the above representation by a reasoned and speaking order as requested by applicant.

4. Accordingly, we direct the respondent No.3 to consider and decide the representation under reference submitted to respondent No.3 within a period of three months, from the date of receipt of this order, in accordance with Rules.

5. O.A. is disposed of accordingly.

No costs.

Member-J


Member-A

Manish/-