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CENTRAL ADMINISTRATIVE TRIBUNAL ALIAHABAD BENCH.

O.A.No.579 of 1986

Syed Abdul Rauf .....Applicant.

Versus

Supdt. of Post Offices & 3 others ...Respondents.

Hon'ble Mr. Justice U.C. Srivastava, V.C.

Hon'ble Mr. A.B. Gorthi, A.M.

( By Hon'ble Mr. A.B. Gorthi, A.M. )

Syed Abdul Rauf has filed this application under section 19 of the Administrative Tribunals Act, 1985 for a declaration that he be deemed to be absorbed in Class IV Category from middle of 1967 giving him 2 further promotion and consequential monetary benefits together with 16.5% interest thereon.

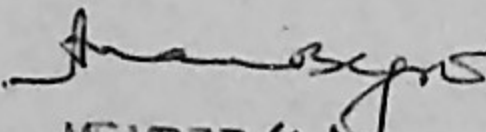
2. The claim of the applicant is that in 1964, he was selected for engagement as a Class IV employee but except for brief spells from 1964 to 1966, he was not given duty. He was on sick-leave from 24.12.65 to 18.3.66 and from 15.6.66 to 14.6.67. His numerous requests and representations thereafter went unheeded. He was, however, appointed as Extra Departmental Branch Post Master ( E.D.B.P.M. ) on 1.7.74 in which he continues even now. Notwithstanding his appointment as E.D.B.P.M., the applicant's claim that on the basis of his earlier selection in 1964 for Class IV employee, he should be given salary, seniority, promotion etc. as were given to those who were selected along with him in 1964.

3. The respondents refute the claim of the applicant on the ground that his various representations over a period of two decades were only a pretext to bring his old case within limitation and that as the applicant ceased to be employed in 1966/67 and he never bothered about it thereafter, it is now



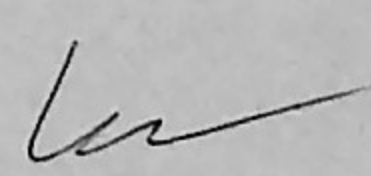
difficult, after so many years to furnish evidence of the details of the working of the applicant as contended by him. Even when he was employed for the post of EDBPM in 1964, he did not state that he had earlier been selected for Class IV service. He merely stated that he had worked for several spells as a substitute for his father as a E.D.B.P.M.

4. We have heard the learned counsel for the parties and <sup>perused</sup> furnished the material on record. The real grievance of the applicant pertains to his non-engagement consequent to his selection for employment in Class IV Category in the year 1964. Admittedly, the applicant himself was absent, ~~though~~ on account of his alleged illness from 24.12.65 to 18.3.66 and again from 15.6.66 to 14.6.67, and thereafter he was not taken on duty. Despite having been appointed in the postal department in the year 1972, although through a different stream, he has filed this application in the year 1986. In any case, we find that in his application for appointment as E.D.B.P.M. in 1972, he had concealed the fact that he was earlier selected for engagement as a Class IV employee. There is, therefore, no justification for him to claim any advantage of his selection in the year 1964. The application is thus devoid of merit and is dismissed without any order as to cost.

  
MEMBER (A)

Dated: 25<sup>th</sup> March 1992

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VICE CHAIRMAN.