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CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD.

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Registration O.A. No. 1187 of 1987

Daya Ram Applicant.

Versus

Sub-Divisional Inspector
Post Offices & others Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.
Hon'ble Mr. K. Obayya, Member (A)

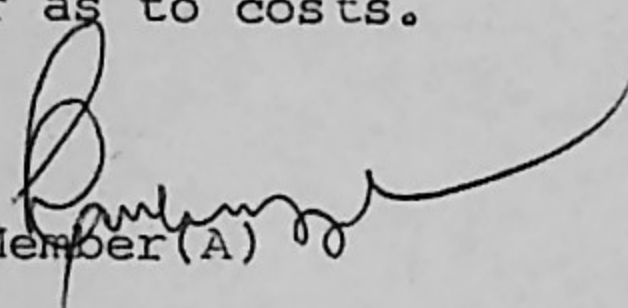
(By Hon. Mr. Justice U.C. Srivastava, V.C.)

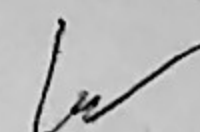
The applicant was appointed as Extra Departmental Delivery Agent and Mail Peon on 3.1.1984 by the Sub Divisional Inspector, Post Offices and continued for more than 3 years. From the appointment order of the applicant it was clear that his appointment was in place of one Gugu Saran Lal who was working on the said post . The post fell vacant as Sri Gugu Saran Lal was put off from duty after being charged for misappropriation/embezzlement of mony orders. It appears that the proceedings against the said Guru Saran Lal ended in his favour and he was restored back to the office on his post so the applicant was required to handed over the charge on 12.6.1987 to the said Guru Saran Lal in pursuance of the order dated 31.5.1987. The applicant has challenged the said order on variety of grounds including that as he has worked for more than 3 years he should be deemed to have been regularised or that no notice was given to him before passing the impugned order 31.5.1987. The applicant was appointed in place of Guru Saran Lal and his appointment was not against any clear vacancy and the terms of the appointment was very clear and

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after the reinstatement of the said Guru Saran Lal, the applicant could not have claimed any right to retain the said post and accordingly, the relief claimed by the applicant can not be given to him. However, in view of the fact as the applicant has worked for more than 3 years, the department is directed to consider the name of the applicant for appointment on the said post ~~in~~ any where in the same delivery zone or adjacent delivery zone when the vacancy occurs there. The applicant is disposed of with these observations. No order as to costs.


Member (A)


Vice-Chairman

Dated: 9.9.1992.

(n.u.)