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CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

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Registration O.A. No. 1103 of 1987

Rajendra Applicant.
Versus

Senior Superintendent of Post
Office, Kanpur City Area and another Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.
Hon'ble Mr. A.B. Gorthi, Member (A)

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

The applicant was appointed on 1.9.1977 as C.P. Chaukidar in Juhi Colony post office, Kanpur and continued there till 2.1.1978. Thereafter, he was sent to Naubasta Hamirpur Road post office on mutual exchange. On 7.10.1987, a First Information Report was lodged by the post master Naubasta, Hamirpur which was registered as case Crime No. 546/87 under Sections 457/511 I.P.C. On 16.10.1987, the respondent no. 1 passed an order directing the respondent no. 2 to terminate the services of the applicant, which is subject matter of challenge in this ^{Application} writ petition. The respondents have pointed out that the applicant was C.P. Chaukidar and was not a regular employee. Although he was posted as Chaukidar yet Burglery took place in the office in the night, ^{of} which report was lodged in the police station Naubasta under case crime No. 546 of 1987 under Section 457/511 I.P.C. and a criminal case started. In case, he would have been devoted to his duties, the ~~said~~ burglary could not have occurred. In these circumstances, the respondents were of the opinion that it will no longer be of any use to continue with the services of the applicant and ^{to} allowed him to work as Chaukidar of the very same post office, and in these circumstances, his services were terminated. Obviously, he was only a C.P. Chaukidar, and if an incident of burglary

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took place, and the respondents in order to safe-guard the money and other property of the post office can not allow the applicant to ~~continue~~ continue as chaukidar and if some other persons are available, the respondents were within their right to terminate the services of the applicant. As no right has ^{accrued} ~~accrued~~ to the applicant for claiming the benefit of being temporary employee.

2. Accordingly, we do not find any merit in the application. With the above observations, the application is dismissed. No order as to costs.

Thamasegna
Member (A)

Dated: 30.6.1992
(n.u.)

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Vice-Chairman