

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

Original Application No. 534 of 1988

A Dated : 14.12.1994

Hon'ble Mr. S. Das Gupta, Member(A)
Hon'ble Mr. Jasbir S. Dhalwal, Member(J)

Surendra Singh, Late Shri Bhagwan Singh,
Extra Departmental Delivery Agent cum Mail Peon
Kukawali B.O. in Dist, Etawah.

Applicant.

By Advocate Shri R.K. Tewari.

Versus

1. S.D.I.(Posts), South Sub. Dn. Etawah.
2. Supdt. Posts, Etawah.

Respondents.

By Advocate Shri N.B. Singh.

O R D E R (Oral)

By Hon'ble Mr. S. Das Gupta, Member(A)

This application has been filed under Section 19 of the Administrative Tribunals Act, 1985 praying for the relief of direction to the respondent no.1 not to remove the applicant from services and to regularise his appointment as E.D.D.A. cum Mail Peon Kukawali.

2. The applicant was appointed as Substitute E.D.D.A. cum Mail Peon at Kukawali Branch Post Office in the District of Etawah on 03.8.1979 by Shri Man Singh who was provisionally promoted as Branch Postmaster of that Post Office. It has been alleged that the applicant has been working for a number of years as Substitute E.D.D.A. before his services were orally terminated w.e.f. 10.4.1988. He has stated to have been submitted a representation to the Supdt.P.O.

which is alleged to have been pending with him. In the background of this fact, the applicant has prayed for the aforesaid relief.

3. The respondents in their Counter-affidavit have disputed this fact that the applicant had been working for several years as Substitute E.D.D.A. They have further submitted that the applicant cannot be appointed on a regular basis since, he is ^{neither} ~~not~~ a resident of the village Kukawali nor any of the villages within the jurisdiction of the Sub Post Office.

4. We have heard the counsel for both the parties and perused the pleadings.

5. It is clear from the averments made by the applicant that he has not acquired any right whatever for regular appointment to the post of E.D.D.A. even ^{if} ~~that~~ he had worked for many years since, his appointment during all these years was as Substitute E.D.D.A.. The reliefs prayed for cannot ^{be} ~~be~~, therefore, granted to the ^{applicant} ~~respondents~~. However, learned counsel for the applicant submitted that the respondents at least be directed to dispose of the representation dated 10.4.1988, copy of which is at Annexure A-3, by the competent authority. We see no objection to accept this request as it is only fair that a representation submitted by any

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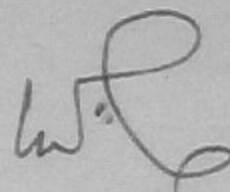
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aggrieved employee be properly disposed of.

6. In view of the fore-going, we dispose of this application with the direction to the respondents to dispose of the representation dated 10.4.1988 stated to have been submitted by the applicant, by respondent no.2 by reasoned and speaking order and if, the said representation is not available with the respondents, we, therefore also direct that the applicant shall furnish a copy of the said representation to the respondents and within 3 weeks of receipt of the same, they will dispose of the same.

Member(J)


Member(A).

/M?M.2