

THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH ALLAHABAD

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Original Application No.1596 of 1992

Udai Pratap Singh ... Applicant

Versus

Union of India and others ... Respondents

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HON'BLE MR MAHARAJDIN MEMBER-J

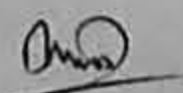
HON'BLE MISS USHA SEN MEMBER-A

(By Hon'ble Mr Maharajdin, Member-J)

The present application has been preferred seeking the relief of direction to the respondents to regularly appoint the applicant on the post of Extra-Departmental Branch Post Master, Lasara Khurd Post Office, district Azamgarh.

The relevant facts giving rise to this application are that the father of the applicant Jagannath Singh was appointed as Extra Departmental Branch Post Master, Lasara Khurd and he retired on 31-12-1992 after attaining the age of superannuation. It is stated that the applicant worked as substitute for some time as his father suffered from paralytic stroke. The applicant has stated that instead of making a regular appointment on vacancy created by his father on his retirement, the respondents transferred / re-appointed one Indu Bala from Buxar Post Office. The applicant submitted representation for his appointment in place of his father, but it was of no avail, hence he has approached this Tribunal.

The respondents filed Counter Affidavit and resisted the claim of the applicant inter alia on the ground that the applicant has no right to be appointed



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as Extra Departmental Branch Post Master on retirement of his father.

We have heard the applicant in person and the learned counsel for the respondents and perused the record.

The main contention of the applicant is that the post which had fallen vacant on retirement of his father could not be filled by transfer of an Extra Departmental Branch Post Master from another post office. In the Counter Affidavit it has been specifically said that Indu Bala is the resident of village Lasara Khurd. She ³ was ~~is~~ posted as Extra Departmental Branch Post Master at Buxar after the death of her husband on compassionate ground. She has been transferred / re-appointed at Lasara Khurd as Extra Departmental Branch Post Master. The applicant was never appointed to work as Extra-Departmental Branch Post Master, Lasara Khurd either on regular or on ad-hoc basis. He worked on ^{step} ~~staff~~ gap arrangement as a substitute, but ~~that~~ ~~work~~ no right has accrued to him to claim to be appointed on that post as a regular or ad-hoc Extra Departmental Branch Post Master. The re-appointment of Indu Bala by way of transfer on compassionate ground also cannot be held illegal because she also fulfils the requisite ingredients such as she is resident of Lasara Khurd and owns a house there. In these circumstances we find that there is no merit in the application of the applicant.

The application is hereby dismissed being devoid of merit with no order as to cost.

VKS

MEMBER-Administrative

DATED: Allahabad, January 05, 1998.

(VKS ps)

[Signature]

MEMBER-Judicial
