

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD\*\*\*BENCH

Original Application No. 598 of 1992

Allahabad this the 13/11 day of Dec. 1994

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

Uttam Chand S/o Soran Singh R/o Village and Post  
Magorra, District Mathura.

Applicant.

By Advocate Shri R.K. Tewari

Versus

1. Union of India
2. Senior Superintendent of Post Office, Mathura,  
District Mathura.
3. Post Master General, Agra

Respondents

By Advocate Shri N.B. Singh

O R D E R

Hon'ble Mr. Jasbir S. Dhaliwal, Member(J)

This petition has been filed by Shri Uttam Chand pleading that he was appointed as E.D.D.A. vide Annexure A-1 dated 19.10.90 on a provisional basis in the Post Office of Village Hauggra District Mathura. He joined his duties as a Postman vide Annexure A-2 and had worked upto 19.12.1991 when he <sup>was</sup> orally informed that his services were no longer required. He pleads that his services were to continue till some regular incumbent was appointed to that post and when he was informed about his services to be no longer <sup>required</sup> no regular incumbent had been either selected or appointed. He challenged such termination of his services alleging it to be arbitrary.

2. In reply to the petition, the respondents have pleaded that the petitioner was appointed on a provisional basis for the period of 16.10.1990 to

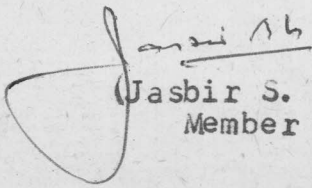
Contd.....pg.2/-


// 2 //

15.1.1991 with stipulation that it shall end on 15.1.1991 or till a regular appointment is made whichever period is shorter. They plead that the appointment of the applicant came to an end by efflux of time and that he has no right to that post. In such situation there was no question to serve the termination order as the appointment letter itself was <sup>self</sup> explanatory.

3. The learned counsel for the petitioner argues that since no regular incumbent had been selected or appointed on the said post, the petitioner had a right to continue under the second part of the conditions mentioned in appointment letter (Annexure A-1). <sup>are</sup> We are afraid the contention is far-fetched. His appointment was only provisional for a specified period of 16.10.1990 to 15.1.1991. His continuation after 15.1.1991 does not give him any vested right to post. By efflux of time his tenure had come to an end on 15.1.1991. We find that he has no right to the said post.

4. The petition is, therefore, found to be without any merit and same is dismissed with no order as to costs.

  
(Jasbir S. Dhaliwal)  
Member (J)

  
(S. Das Gupta)  
Member (A)