

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 1142 of 1993

Allahabad this the 29th day of June, 2000

Hon'ble Mr.S.K.I. Naqvi, Member (J)
Hon'ble Mr.M.P. Singh, Member (A)

Sri Yogendra Singh, Son of Charan Singh, H/p
Village and Post Shivala, District Aligarh.

Applicant

By Advocate Shri S. Benerji

Versus

1. Union of India through the Director General,
Department of Post, New Delhi.
2. The Post Master General, U.P. Circle, Lucknow.
3. The Superintendent of Post Offices, Aligarh
Mandal, Aligarh.

Respondents

By Advocate Shri S.C. Tripathi

O R D E R (Oral)

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

Shri Yogendra Singh, Son of Charan Singh
has come up before the Tribunal seeking relief to
the effect that the order dated 05.7.93 passed by
respondent no.3 be set aside and the respondents
be directed not to appoint any other person to
the post to which the applicant is working. This
impugned order dated 05.7.1993 is direction to
Village Pradhan, Gram Sabha Shivala to notify the
post ^{by} ~~at~~ beat of drum. *Scm*

2. The applicant has put his claim on the ground that since he has served for six years at this post, he becomes legally entitled for regularisation and, therefore, no other person but the applicant is the rightful claimant to hold the post.

3. The respondents have contested the case mainly on the ground that the applicant is holding the post only as temporary arrangement and no appointment could be given to him because he does not fulfil the requirements for the post. It has also been mentioned that he has not ^{been} even being sponsored by the Employment Exchange and the move of the applicant for regularisation, has already been turned down.

4. Heard, the learned counsel for the rival contesting parties and perused the record.

5. It is admitted that at no point of time, the applicant was appointed to the post to which he claims regularisation. Period for which he worked there, was only stop-gap arrangement, which creates no lien. It is also not in dispute that the applicant does not fulfil the minimum educational qualification for the post. Under the circumstances, no relief can be granted to him and O.A. is devoid of merit.

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6. For the above, the O.A. is dismissed
being devoid of merit.

mfl
Member (A)

S. C. - 95
Member (J)

/M.M./