

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 5th day of December, 2001.

Q U O R U M :- Hon'ble Mr. Justice R.R.K. Trivedi, V.C.
Hon'ble Mr. C.S. Chadha, Member- A.

Original Application No. 350 of 1994.

Sunil Kumar Singh S/o Sri Ranjit Singh
a/a 27 years, R/o Vill. and Post Gajendrapatti, Bhadaura,
Distt. Azamgarh. Working as Extra Departmental Mail Peon,
Gajendrapatti, Azamgarh.

.....Applicant

Counsel for the applicant :- Sri D.C. Saxena

V E R S U S

1. Union of India through the Secretary,
M/o Communication, New Delhi.
2. Senior Post Master, Azamgarh.
3. Sub Divisional Inspector of Post Offices (West),
Sub Division Azamgarh.
4. Senior Superintendent of Post Offices,
Post Office- Azamgarh.

.....Respondents

Counsel for the respondents :- Km. Sadhna Srivastava

O R D E R (Oral)

(By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.)

By this O.A under section 19 of the Administrative
Tribunals Act, 1985, applicant has challenged the order
dated 14.02.1994 by which his engagement as Extra
Departmental Mail Peon (E.D.M.P.) was terminated.

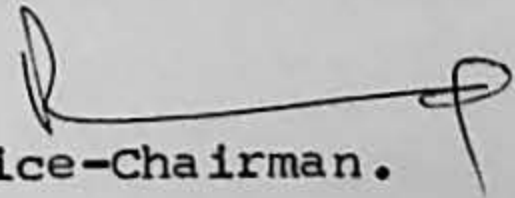
2. The facts giving rise to this application are that
applicant's father Ranjit Singh was serving as E.D.M.P.
As the father of the applicant ^{was} subjected to disciplinary
proceedings and was suspended, applicant was

provisional basis as stop gap arrangement by order dated 16.10.1992. In the order dated 16.10.1992, it was clearly stated that undersigned reserved the right to terminate the provisional appointment at any time without notice and without assigning any reason. In vigilance enquiry, it was found that the appointment of the applicant was not regular and suffered from illegality and, thereafter, order was passed terminating the services of the applicant. Though the applicant has claimed that his name was referred by the Employment Exchange but there is no material on record to suggest that the rules were followed in engagement of the applicant. In these circumstances, the applicant had no right to continue on the post.

3. It is not disputed that the applicant was relieved from the post on 14.02.1994 and he is not working on the post since then. As he was not regularly selected for appointment, we do not think it appropriate to pass any order in his favour. However, in case, the proceedings are initiated for regular selection for appointment as E.D.M.P, the applicant may also apply and his name shall be considered. Interim order dated 18.03.1994 is vacated. The O.A is dismissed accordingly.

4. There will be no order as no costs.


Member- A.


Vice-Chairman.

/Anand/