

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 458 of 1994

Allahabad this the 02nd day of November 1995

Hon'ble Dr. R.K. Saxena, Member (J)
Hon'ble Mr. D.S. Baweja, Member (,A)

Narendra Pratap Singh S/o Shri Adya Pratap Singh,
R/o Village and Post Bhikanpur, District Pratapgarh

APPLICANT

By Advocate Shri Satish Dwivedi

Verus

1. Union of India through the Secretary, Ministry of Communication, Govt. of India, New Delhi.
2. Sri Aushotosh Tripathi, Director, Postal Services, Allahabad Region, Allahabad.
3. Sub Divisional Ins-pector (Postal) Western Sub Division, Pratapgarh.
4. Sri R.S. Misra, Sub Divisional Inspector (postal) Western Sub Division, Pratapgarh.
5. District Employment Officer, Employment Exchange, Pratapgarh.

RESPONDENTS.

By Advocate Shri C.S. Singh.

O R D E R (Oral)
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By Hon'ble Dr. R.K. Saxena, Member (J)

This application has been filed
under Section 19 of the Administrative Tribunals

Act, 1985 seeking the relief that the impugned order dated 26.2.94 (Annexure A-1) be quashed and the respondents be directed to give appointment to the applicant on the post of Extra-Departmental Delivery Runner/Carrier.

2. The brief facts of the case are that the name of the applicant was sponsored by the Employment Exchange along with other persons for the appointment as E.D.D.A. on the request of respondent no.4. Consequently, the names were sponsored vide letter dated 10.9.93. It appears that said list was not taken into consideration and fresh names were requisitioned from the Employment Exchange, and were accordingly sent vide letter dated 26.2.94. The name of the applicant did not find place in the second list. Hence this O.A. preferred challenging the second list dated 26.2.1994.

3. It was contested by the applicant but, Shri C.S. Singh, learned counsel for the respondents pointed out that the second list dated 26.2.94 has been cancelled and thus, there remains no cause of action. Learned counsel for the applicant also filed rejoinder and admitted this situation before us during arguments. The result, therefore, is that O.A. so far as the relief no.1 is concerned, becomes infructuous.

4. The applicant had also prayed by relief no.2 that his appointment on the post of E.D.D.Runner/Carrier be directed to be made. We have been informed by Shri C.S. Singh counsel for the respondents that the process on the basis of the earlier list dated 10.9.93 is yet to be completed and it was withheld because this O.A. was pending. No such direction about the appointment of the applicant can be given because the process of selection is to be completed and it shall be done in accordance with the rules.

5. In view of these facts, the O.A. is dismissed. No order as to costs.

Member (A)

Member (J)

/M.M./