

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 04th day of February, 2002.

Q U O R U M :- Hon'ble Mr. Justice R.R.K. Trivedi, V.C.  
Hon'ble Maj. Gen. K.K. Srivastava, A.M.

Orginal Application No. 81 of 1994.

Vishwa Shanti Mishra, S/o Late Kamata Prasad Mishra,  
R/o Vill. Aunta, Meja, Distt. Allahabad.

.....Applicant

Counsel for the applicant :- Sri Avnish Tripathi

V E R S U S

1. Union of India through the Secretary, M/o Posts, Telegraph, New Delhi.
2. Senior Superintendent of Post Offices, Allahabad Region, Allahabad.
3. Sub Divisional Inspector of Post Offices, Meja, Allahabad.
4. Lakshman Prasad S/o Bumdd Ram, R/o Vill. and Post-Aunta, Distt. Allahabad.

.....Respondents

Counsel for the respondents :- Sri G.R. Gupta

O R D E R (oral)

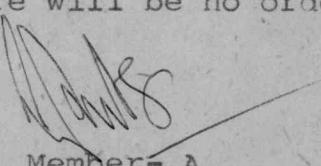
( By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.)

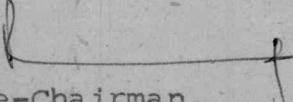
The facts of the case are that the applicant was engaged as E.D.D.A, Aunta, Distt. Allahabad as one Sri Sant Lal the regular incumbant was put off from duty. This engagement of the applicant was approved by the Sub Divisional Inspector and the applicant started to work from 14.03.1991. The

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respondents, however, by requisition letter dated 07.01.1994, requested Employment Exchange, Allahabad to sponsor the name for appointment as E.D.D.A, aggrieved by which applicant has approached this Tribunal by filing this O.A. The claim of the applicant is that as the applicant ~~had~~ already served on the post for more than three years, he is entitled <sup>to be</sup> ~~to absorb~~ under rules. However, it is not disputed that during pendency of this O.A, Sri Sant Lal the regular incumbent has been reinstated and he has joined the post. Learned counsel for the applicant has submitted that the applicant was asked to work as E.D.R, Kathauli, Distt. Allahabad and for last more than five years, he is serving there. In these circumstances, this O.A has been rendered infructuous. The requisition was on account of fact that Sri Sant Lal was dismissed from service but he has been reinstated. There is no question for taking any further steps on basis of the impugned letter dt. 07.01.1994. Learned counsel for the applicant has further submitted that now the applicant has served for about nine years and under rules of E.D.A (Service and Conduct) Rules, 1964, he is entitled to be absorbed on any suitable E.D post. For this purpose, applicant may represent before the competent authority who shall consider and pass suitable orders in accordance with rules. Subject to aforesaid, the O.A is disposed of finally.

2. There will be no order as to costs.

  
Member-A.

  
Vice-Chairman.

/Anand/