

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD.

Allahabad this the 3rd day of May 2001.

Original Application no. 1289 of 1995.

Hon'ble Mr. S.K.I. Naqvi, Member-J

Hon'ble Maj Gen K.K. Srivastava, Member-A

Lallan Ram, S/o Shri Manku Ram,  
R/o Village and Post Office Saheri,  
Distt. Ghazipur.

... Applicant

C/A Shri R.P. Singh

Versus

1. Union of India through Director of Post Offices, New Delhi.
2. Post Master General, Allahabad.
3. Superintendent of Post Offices, Ghazipur.
4. Ashok Singh, S/o Shri Ram Shankar Singh, R/o Village Karaila Post Office Saheri, District Ghazipur.

... Respondents

C/Rs. Sri Amit Sthalekar.  
Sri A.K. Malviya  
Sri N.L. Pandey

*SAC* ...2/-

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O R D E R (Oral)

Hon'ble Mr. S.K.I. Naqvi, Member-J

The applicant has a grievance that inspite of his being a better candidate than Shri Ashok Singh (Respondent no. 4) for appointment to the post of Extra Departmental Branch Post Master (EDBPM), Saheri, Ghazipur, Shri Ashok Singh has been appointed for which the applicant made a representation, but the same remains without any success.

2. The respondents have contested the case and filed Counter Affidavit with the mention that the person appointed namely Shri Ashok Singh was found better on merit for having secured 1st Division <sup>whereas</sup> in the qualifying High School examination <sup>whereas</sup> were the applicant is only second divisioner. It is also mentioned that on verification, the applicant was not found resident of that village.

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

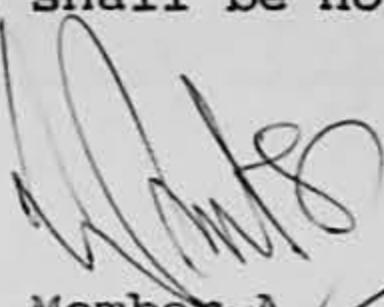
4. Learned counsel for the applicant mentions that the applicant worked as EDBPM during the period from 15.8.89 to 31.3.95 as substitute to Smt. Vidya Devi, the then encumbant to the post, for which he should have been given preference over a quite un-experienced person.

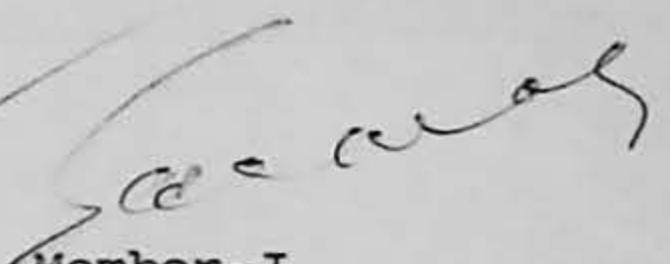
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5. For the above, we find a fit matter to decide the O.A. with the following observations :-

In case the applicant moves a fresh representation within 3 weeks detailing therein relevant facts, law and rule, the same be decided by the competent authority within 2 months, thereafter, and to pass detailed, reasoned and speaking order.

6. There shall be no order as to costs.

  
Member-A

  
Member-J

/pc/