

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 3rd DAY OF OCTOBER, 2002

Original Application No.264 of 1995

CORAM:

HON.MR.S.DAYAL, MEMBER(A)

HON.MR.A.K.BHATNAGAR, MEMBER(J)

Gyan Singh, a/a 48 years
Son of Shri Nawab Singh, resident
of village Nagla Bhoor, Malawan,
district Etah.

... Applicant

Versus

1. Union of India, through Secretary
Ministry of Post Office and
Telegraph Department, Govt.
of India, new Delhi.
2. Supdt. of Post Office, Etah.
3. U.P.Mandaliya Nirikshak Post
Office(East), Etah.

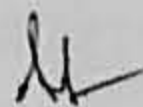
... Respondents

(By Adv: Ms.Sadhna Srivastava)

O R D E R(Oral)

By Hon.Mr.S.Dayal, Member(A)

This application has been filed for setting aside the impugned order dated 11.2.1995. A direction is sought to appoint the applicant as regular E.D.D.A at Malawan, district Etah and to give the emoluments as per rules. The applicant claimed that he resides in the circle of E.D.Post Office, Malawan district Etah, he is eligible to work as E.D.D.A. The applicant claims that he had been working as EDDA in the aforesaid Extra Departmental Branch Post office since long. Afterwards, one Devi Singh was appointed as EDDA but his services were put off on account



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of complaints of serious nature against him. Devi Singh's son Brahmanand was put as EDDA at Malawan district Etah. The applicants claims to be working satisfactorily from the date of taking over charge which was 21.3.1994. However, another letter dated 11.2.1995 has been issued asking the applicant to hand over the charge of EDDA, post office Malawan without any proper selection having been done. The applicant has sought relief in the backdrop of these facts.

We have
heard arguments of Ms.Sadhna Srivastava learned counsel for the respondents.

Learned counsel for the respondents has mentioned that Gyan Singh had been engaged by way of temporary arrangement made by Mail Overseer and Gyan Singh had given his written undertaking that he ^{would} ~~hand~~ ^{be} over charge and will not claim appointment to the post(Annexure CA-7). Thereafter a regular selection has been held and as a result of the said selection Shri Brahmanand who was the most eligible among the candidates sponsored by the Employment Exchange was appointed provisionally as EDDA. His appointment was provisional on account of the fact that Devi Singh was put off duty and inquiry was being conducted against him.

We find that the applicant, who was engaged without following the proper procedure as a stop gap arrangement, does not have a better claim than Brahmanand who had been regularly selected and appointed as EDDA. Therefore, there is no merit in the OA which is dismissed. No order as to costs.

[Signature]
MEMBER(J)

[Signature]
MEMBER(A)

Dated 3rd Oct: 2002

Uv/