

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Dated : This the 2<sup>nd</sup> day of MARCH 2005.

Original Application no. 460 of 1999

Hon'ble Mr. D.R. Tiwari, Member A  
Hon'ble Mr. K.B.S. Rajan, Member J

Lallan Singh, S/o Sri Shiv Shankar Singh,  
R/o Vill Malaka , Post Garanpur, Tehsil Phoolpur,  
ALLAHABAD.

...Applicant

By Adv : Sri D.P. Singh

V E R S U S

1. The Union of India, through Secretary,  
Post and Telegraphs Department,  
NEW DELHI.
2. The Sub Divisional Inspector,  
Post Office North, Sub Division,  
ALLAHABAD.
3. The Additional Superintendent of Post Offices,  
Allahabad Division,  
ALLAHABAD.

...Respondents.

By Adv : Sri D.S. Shukla.

O R D E R

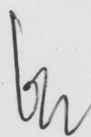
By K.B.S. Rajan, MEMBEFR-J

The claim of the applicant in this case is that when the post of Extra Departmental Branch Post Master (in short EDBPM) fell vacant at Garapur and was referred to the Employment Exchange on 24.3.1983, though the applicant had applied for the same, he was not given appointment despite the fact that he had earlier served as EDBPM in the said place Post Office Gara pur as Substitute in July, 1971.

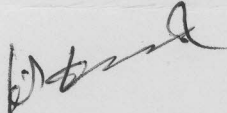
2. Against the said selection, the applicant filed a Civil Suit which was later transfer to this Tribunal vide T.A. no. 1629 of 1986. By an order dated 19.9.1992, while the Tribunal dismissed the T.A. had also made an observation that incase the applicant approached the authorities, they could make some provision for him him by appointing him elsewhere, taken into account his experience. In the wake of the above order, the applicant made representation and when the next regular vacancy was available in August, 1997, the applicant had also applied. However, the respondents had not selected him and passed the impugned order dated 2.9.1987 .

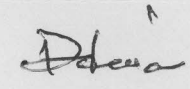
3. The reason for non-selection of the applicant as given by the respondents, as could be seen from the impugned order dated 2.9.1997 (Annexure-2 to the O.A.) is that the applicant at the material point of time was over aged above 50 years and therefore, could not be considered.

4. The applicant had clearly mentioned his Date of Birth as 1.5.1946 and as such he had completed 50 years by 30.4.1996. Since the vacancy arose after he had attained the age of 50, the respondents have rightly rejected his application.



5. We, therefore, find no infirmity in the impugned order and accordingly, the O.A. is dismissed. No costs.

  
MEMBER-J

  
MEMBER-A

Girish/-