

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Allahabad this the 13th day of January 2000.

Original Application no. 497 of 1999.

Hon'ble Mr. Rafiq Uddin, Judicial Member

Hon'ble Mr. M.P. Singh, Administrative Member.

Anilesh Kumar Tripathi,
S/o Paras Nath Tripathi,
R/o Presently residing at Village and Post
41 E/13 Daboli Kanpur, R/o Village and Post
Fatehpur Roshnai, P.S. Akbarpur, Block Sarwan
Khara, District Kanpur.

... Applicant

C/A Shri B. Ram

Versus

1. Union of India through Secretary (Posts)
Ministry of Communication, Dak Bhawan, Sansad
Marg, New Delhi.

2. Senior Superintendent of Post Offices,
City Division, Kanpur.

... Respondents.

C/R SKM. Sadhana Srivastava

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Hon'ble Mr. Rafiq Uddin, Member-J.

The applicant seeks that direction be issued to the respondents to consider his candidature for the post of EDBPM, Raipur Kukhat, Distt. Kanpur, for which the last date fixed for submitting the application is 11.09.97. The applicant applied for the post of EDBPM, Raipur in pursuance of notification dated 27.08.97. The case of the applicant is that since he has submitted his application directly ^{to the respondents} ~~on~~ ^{to the respondents} prescribed proforma, he apprehends that the respondent no 2 is deliberately and intentionally ~~not~~ going to consider the application because his name has not been sponsored by the Employment Exchange. The respondents on the other hand have specifically mentioned in their Counter Affidavit that the name of the applicant was duly considered alongwith other candidates ~~and~~ character and antecedents of the applicant for verification were also sent and the present O.A. has been filed merely on presumption that the name of the applicant has not been considered by the respondents.

2. In the present OA affidavits have been exchanged and the same is being decided at the stage of admission.

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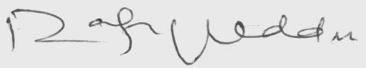
3. We have heard Shri A. Tripathi proxy to Shri B. Ram learned counsel for the applicant and Km. Sadhana Srivastava learned counsel for the respondents and perused the record.

4. The main contention of learned counsel for the applicant is that, since he has applied directly for the post of EDBPM, his candidature should not be rejected on that ~~second~~ ground. The respondents have nowhere stated that the candidature of the applicant is liable to be rejected on this ground. However, we find it expedient that the direction be issued to the respondents not to ~~reject~~ the candidature of the applicant mearly because he has applied for the post directly and his name has not been sponsored by Employment Exchange. Respondents are ~~directly~~ not to reject the candidature of the applicant merely because he has directly applied for the post of EDBPM and his candidature will be considered alongwith other candidates for the post in question. The O.A. is disposed of accordingly.

5. No order as to costs.



Member-A



Member-J

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