

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 17th day of August 1999.

Original Application no. 846 of 1999.

Hon'ble Mr. S. Dayal, Administrative Member
Hon'ble Mr. S.K.I. Naqvi, Judicial Member

Satish Chandra Yadav, S/o Amar Nath Yadav, Extra Departmental Delivery Agency (EDDA) at Cholapur, Varanasi. Permanent Resident of Basantpur, Post Office, Sindhora, District, Varanasi.

... Applicant

C/A Sri N. Singh
Sri S. Singh

versus

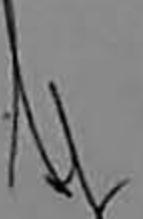
1. Assistant Superintendent of Post, Towns Sub Division (East), Varanasi.
2. Senior Post Master, Varanasi.
3. Senior Superintendent of Post Offices, East Division, Varanasi.
4. Union of India, through Secretary, Department of Post and Telegraph, Ministry of Communication, New Delhi.

... Respondents.

C/R ...

ORDER

Hon'ble Mr. S. Dayal, Member-A.

This O.A. has been filed for a direction to the

// 2 //

respondents to regularise the services of the applicant on the post of Extra Department Delivery Agent, Cholapur, Varanasi and pay his salary and other benefits regularly.

2. There is a prayer for interim relief also by way of direction to the respondents not to interfere the working of the applicant on the post of Extra Department Delivery Agent, Cholapur, Varanasi and for payment of his salary and other benefits regularly.

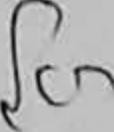
3. Learned counsel for the applicant mentions that the applicant ^{has} stated in para 4.4 on oath that the respondents are going to fill the ^aforsaid post by appointing some other person very soon and are threatening to terminate the services of the applicant on the post of E.D.D.A.

4. Learned counsel for the applicant also prays that the direction be issued to the respondents to consider the applicant in case they started process for filling up this post.

5. We find from annexure 1, 2, 3, 4 and 5 that the applicant was given charge on 20.2.97 and handed over charge to one shri Amar Nath Yadav on 26.8.97. He was again given charge by Amar Nath Yadav on 6.10.98 and he claimed to have worked on this post till 7.1.99. There is a handing over order to this effect at annexure 4. The applicant was again given charge on 29.01.99. Thus it is ^{clear} ~~claimed~~ that the applicant had not been appointed on this post by following regular process for selection of E.D.D.A. Under the circumstances ^{the relief is} based on mere apprehension. We do not

// 3 //

consider this OA to be maintainable and we do not feel that cause of action has yet arisen to file this O.A. Therefore, this O.A. is dismissed in limine.


Member-J


Member-A

/pc/