

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 23rd day of May, 2001.

Original Application No.1001 of 1999.

CORAM :-

Hon'ble Mr. Justice RRK Trivedi, V.C.
Hon'ble Maj Ge KK Srivastava, A.M.

Nagendra Pratap Singh S/o Late Sri Nath Singh,
Resident of Village & Post-Baresta Kalan,
Police Station Phoolpur Distt-Allahabad.
(Sri A.K. Srivastava, Advocate)

..... Applicant

Versus

1. Union of India through Secretary to
Govt. of India, Post and Telecommunication
Department, New Delhi.
2. Senior Superintendent of Post Offices,
Allahabad.
3. Sub-Divisional Inspector (Postal)
Handia Sub Division, Allahabad.

(Sri Prashant Mathur, Advocate)

..... Respondents

O R D E R (O_r_a_1)

By Hon'ble Mr. Justice RRK Trivedi, V.C.

By this application the applicant has prayed for a direction to respondents to allow him to perform duties as EDDA Pratappur till Sri Ram Yagya Pathak comes back to join the post.

2. It appears that the applicant was allowed to discharge duties of EDDA vide order dated 28-4-1997 (Annexure-A-1 to the OA) which clearly contemplated that his appointment shall continue till return of Sri Ram Yagya Pathak. Counter affidavit has been filed wherein

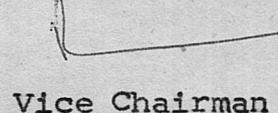


it has been specifically averred that the regularly selected candidate has come back and joined the post. The applicant has no right to continue on the post. It is not disputed that the applicant is not the regularly selected candidate. Sri Ram Yagya Pathak has also joined duty and Sri Shiv Charan Dwivedi has also been posted back as stated in the counter affidavit. If any of the regularly selected candidates become available to work on the post, the applicant cannot be continued. In the circumstances, we do not find him entitled for any relief in this OA.

3. Learned counsel for the applicant then submitted that as the applicant has worked for some time, he may be given chance to serve in other Post Office, if there is a vacancy. For this purpose the applicant may approach the authorities and his case may be considered sympathetically.

4. Subject to the aforesaid observation, the OA is dismissed with no order as to costs.


Member (A)


Vice Chairman

Dube/