

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,  
ALLAHABAD.

Dated: Allahabad, the 4th day of January, 2001.

Coram: Hon'ble Mr. Justice R.R.K. Trivedi, VC

Hon'ble Mr. S. Dayal, A.M.

Original Application No. 1134 of 1999

Suresh Ram,  
s/o Chhavinath Ram,  
r/o Dura, PO- Kasipur,  
Tehsil Sadar, District  
Varanasi.

. . . . . Applicant

(By Advocate Sri A. Mishra)

Versus

1. Union of India, through Secretary,  
Posts & Telegraph, New Delhi.
2. U.P. Mandalika Nirikshak (Dakghar),  
Varanasi.
3. Post Master,  
Kasipur, Varanasi.

. . . . . Respondents

(By Advocate Sri A. Sthalekar)

O R D E R

(OPEN COURT)


( By Hon'ble Mr. Justice R.R.K. Trivedi, VC)

By this application, under Section 19 of the Administrative (Tribunals) Act, 1985, the applicant has prayed for a direction to the Respondents to provide attendance register and to permit him to discharge his work on the post of E.D.D.A., Post Offices Phulwaria, District Varanasi. It has also been prayed that the

Contd..2

Respondents may be directed to regularise the services of the applicant on the aforesaid post. A counter affidavit has been filed <sup>resisting</sup> ~~registering~~ the aforesaid claim of the applicant, wherein it has been stated that the regular incumbent on the post Sri Jai Hind had proceeded on leave without providing any substitute. In the absence of Sri Jai Hind, the applicant was engaged as E.D.D.A. on the risk and responsibility of Sri Ram Narain Pandey, Mail Peon, Varanasi Cantt. Subsequently, Sri Jai Hind, regular incumbent, returned and joined his duties on 8.5.1999. Consequently, an order was passed for dis-engagement of the applicant. On 10th May, 1999, the applicant was relieved. In the circumstances, the applicant's engagement was only as a substitute/time gap arrangement and he is not entitled for any direction against the Respondents to continue the applicant on the aforesaid post on regular basis. However, in case the applicant is entitled for <sup>benefit of</sup> the service rendered during this period, ~~it~~ <sup>he</sup> shall be considered ~~for giving an opportunity~~ <sup>for engagement</sup>, if the post is vacant.

No order as to costs.

  
A.M.

  
V.C.

Nath/