

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

Dated: Allahabad, this the 30th day of October, 2000

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

Hon'ble Mr. Rafiq Uddin, J.M.

Original Application No.1162 of 2000

Surendra Ram, son of Jhingur Ram,
r/o village Azampur (Bankat),
P.O. Azampur, District Azamgarh.

By Advocate Sri B.N. Singh. . . . Applicant

Versus

- 1- Union of India through the Secretary (Posts),
Ministry of Communication, Govt. of India,
Dak Bhawan, Sansad Marg, New Delhi.
2. Senior Superintendent of Post Offices,
Azamgarh Division, Azamgarh.

. . . Respondents

O_R_D_E_R (Oral)

(By Hon'ble Mr. S. Dayal (A))

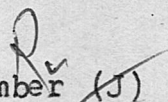
This application has been filed for direction to the respondents to consider the candidature of the applicant on the basis of the comparative merits of all contesting candidates. Further, a prayer has been made for direction to the respondents not to ignore the candidature of the applicant merely on the presumption of pendency of criminal case. Yet another prayer has been made for direction to the respondent no.2 to appoint the applicant on the post of E.D.B.P.M. at Mahrajganj, Azamgarh.


2. The facts stated by the applicant are that the post of Extra Departmental Branch Post-Master fell vacant and a Notification was made by the respondents, inviting

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names of suitable candidates for appointment on the said post. The applicant has submitted his application and claims to have been placed at Sl.No.1 in the merit list. He also claims to have come to know that the appointing authority is not inclined to consider the candidature of the applicant on the ground that a criminal case is pending against him. Hence, the applicant seeks the direction, as mentioned in the last paragraph. No cause of action has arisen, as it is not being stated that the respondents have finally selected a person and made appointment to the post. The learned counsel for the applicant at this stage has stated that some appointment has been made after 13.10.2000. If that be the case, the learned counsel for the applicant would be in a position to file a fresh application, as the cause of action would have arisen after the appointment order has been made.

3. The present application is dismissed in limine, as the same is being made prematurely and is lacking in merits. No order as to costs.


Member (J)


Member (A)

Nath/