

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No. 1227 of 2000

Allahabad this the 19th day of May, 2004

Hon'ble Mr.D.C. Verma, Vice Chairman  
Hon'ble Mr.D.R. Tiwari, Member (A)

Vijai Kumar Pandey S/o Sri Udai Pratap Pandey, aged  
about 21 years R/o Village Ekauna Branch Post Office  
Ekauna Head Post Office-Soraon, District Deoria.

By Advocate Shri H.S.N. Tripathi

Applicant

Versus

1. Union of India through Director, Post and Telegraph  
Department, New Delhi.
2. Chief Post Master General (U.P.), Lucknow.
3. Senior Superintendent Post Offices, Deoria, Region,  
Deoria, District Deoria.
4. Assistant Superintendent of Post Office, and P.O.  
and District Deoria.

Opp. Parties Ist Set

5. Shri Ram Poojan Rao S/o Late Shri Satya Deo Rao  
R/o Village Sonnaria Branch Post Office Sohnaria  
\* Head Post Office-Tarkulwa, District Deoria.

...Opp. Party IIInd Set

Respondents

By Advocate Shri R.C. Joshi  
(Official respondents)  
Shri A.Tripathi  
(pvt. respondent)

O R D E R ( Oral )

By Hon'ble Mr.D.C. Verma, V.C.

In this O.A., applicant has prayed for quashing  
the appointment of respondent no.5 and for a direction to

official respondents to make appointment on the basis of prior selection.

2. The brief facts of this case are that the Office of Branch Post Master in village Ekauna, Distt. Deoria felt vacant on 14.07.1998. Names/~~XXXX~~<sup>from</sup> Employment Exchange were requisitioned and candidates were considered by the respondents. Before appointment letter could be issued, appointment of respondent no.5 was made on the post under pretext of being dependent of a deceased employee. The appointment of respondent no.5 was made under the compassionate appointment scheme.

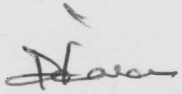
3. During the pendency of present O.A., learned counsel for the applicant filed Misc.Application No.5583 of 2001 wherein it has been stated that respondent no.5 Ram Poojan Rao has been adjusted and appointed as Branch Post Master in different branch i.e. Hathia, Naugarh Branch Post Office, District Deoria. Learned counsel for the respondent no.5, however, states that he has no information of any such adjustment of respondent no.5.

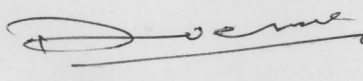
4. Learned counsel for the applicant submits that as after the adjustment of respondent no.5, the post<sup>s</sup> has again fallen vacant, a direction be given to respondents to make appointment in pursuance to the selection made earlier.

5. Heard counsel for the parties and perused the record.

6. In view of the above facts, O.A. is decided

with the observation that it would be open for the respondents to make appointment to the post of Branch Post Master, Ekauna, in case the same has fallen vacant after adjustment of respondent no.5-Ram Poojan Rao. It will be open for the respondents to consider the applicant's claim in pursuance to the earlier selection <sup>5</sup>and but as per rules, and to make appointment expeditiously following the guide lines issued on the subject. Accordingly, the O.A. stands disposed of. No order as to costs.

  
Member (A)

  
Vice Chairman

/M.M./