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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH  
ALLAHABAD

Allahabad : Dated this 29th day of November, 2000  
Original Application No.1350 of 2000

CORAM :-

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

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

Kamlesh Kumar Goswami,  
S/o Gauri Shanker,  
R/o Bhagwati Mandir, Akhthe Road,  
Post Sarnath, Varanasi.  
(Sri AK Yadav, Advocate)

. . . . . Petitioner

Versus


1. The Union of India,  
Through the Secretary,  
Postal Department, New Delhi.
2. The Senior Superintendent of  
Post Offices, Varanasi.
3. Up Mandliya Nirikshak Dakghar,  
Uttri Khand, Varanasi.

. . . . . Respondents

O R D E R (O r a l)

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

The applicant was engaged as EDR as a substitute on 6-5-1999 as the regular incumbent was promoted and had gone on training. In the order by which the applicant was engaged, there was a specific contemplation that the engagement is till regular selection. Now the respondents have advertised on 31-8-2000 by which the applications have been invited for regular selection from the eligible candidates. Aggrieved by which this OA has been filed.



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2. Learned counsel for the applicant has submitted that as the applicant is working as substitute, the selection could only be on permanent basis and the impugned notification for engaging EDR on temporary basis is arbitrary and should be quashed. We are not convinced with the submission of the counsel for the applicant. The applicant's engagement as substitute was without observing any procedure. Now by the impugned advertisement open selection is being made for appointment, though on temporary basis, which may be converted into permanent, the applicant cannot have any objection against the procedure adopted. The OA is rejected being devoid of any merit. It shall, however, be open to the applicant to compete along with others. There shall be no order as to costs.

Member (A)

Vice Chairman

Dube/