

(10)

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 10th day of July 2001.

Hon'ble Mr. S. Dayal, Administrative Member
Hon'ble Mr. S.K.I. Naqvi, Judicial Member

Original Application no. 181 of 2000.

Anilesh Kumar Tripathi,
S/o Sri PN Tripathi,
41-E/13, Dabooli Karanpur,
Post. Udyog Nagar, Thana,
Govind Nagar,
KANPUR NAGAR.

... Applicant

C/A Shri KC Sinha

Versus

1. Union of India through Senior Supdt. of Post Offices,
Kanpur City Division,
KANPUR.

2. Inspector of Post Offices,
(South) Kanpur City,
KANPUR.

... Respondents

C/Rs. Sri SC Tripathi

Alongwith

Original Application no. 1444 of 1999.

Ajay Kumar, S/o
EDDA-I, Bindhanoo P.O. Kanpur Nagar.

... Applicant

C/A Sri R. Trivedi, Sri RK Singh & Sri U Nath

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2.

Versus

1. Union of India, through Secretary Ministry of Communication,
NEW DELHI.
2. Senior Supdt. of Post Offices, Kanpur City, Division.
3. Sub-Divisional Inspector (Postal), South Sub-Division, Kanpur City.
4. Raj Bahadur Singh, R/o Vill and P.O. Jammu Bidhanoo, Kanpur Nagar.
5. Vinai Trivedi, S/o Indra Narayan Trivedi, R/o 127/301 A Juhi Garah, Kanpur-14.

... Respondents

C/Rs Sri SC Tripathi.

Alongwith

Original Application no. 1047 of 1998

Raj Bahadur Singh, S/o Sri Mahendra Pal Singh
R/o Vill and Post Khersa Bidhanoo,
Kanpur City.

... Applicant

C/A Sri OP Gupta

Versus

1. SDI (Postal) South Sub-Division, Kanpur City, Kanpur.
2. Union of India through Secretary, Ministry of Communication Govt. of India, NEW DELHI.

... Respondents

C/Rs Sri SC Tripathi

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3.

Alongwith

original Application no. 1300 of 1999.

Vinay Trivedi,
S/o Shri IN Trivedi,
R/o 127/301A, Juhi Garha,
KANPUR -14-

... Applicant

C/A Sri F Rai & Sri CK Rai

Versus

1. Union of India through the Secretary,
Ministry of Communication (Post) Dak Bhawan,
NEW DELHI.
2. Post Master General Kanpur.
3. The Chief Post Master General UP,
Lucknow.
4. The Senior Supdt. of Post Offices, Kanpur Region,
Kanpur.
5. Sub-Divisional Inspector (South) Post Offices,
Kanpur Region , Kanpur.

... Respondents

C/Rs.....

O R D E R

Hon'ble Mr. S. Dayal, Member-A.

These four OAs were made by four applicants for seeking appointment on the post of Extra Departmental Delivery Agent (EDDA), Badhunu, Kanpur City. Since the applicants have sought appointment to the same post they have been heard together and a common order have been passed.

2. The applicant in OA 181 of 2000, seeks

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relief for direction to the respondents to consider his candidature as out sider candidate for appointment on the post of EDDA, Badhunu, Kanpur City. The applicant claims to have made application directly to respondents no. 1 & 2 on 12.8.1998 in response to requisition dated 29.7.1998. A direction was given to the respondents by way of interim relief to consider the candidature of the applicant.

3. The applicant in OA 1444 of 1999, seeks setting aside of order of cancellation of appointment of the applicant dated 4.11.1999. He claims to have been appointed duly on the post of EDDA, Badhunu, Kanpur City, in response to letter sent by SDI, South, Sub Division, Kanpur City to him and had taken over charge on 9.10.1998 after his appointment on 5.10.1998. His appointment was subsequently cancelled by the aforesaid impugned order.

4. The applicant in OA 1049 of 1998, sought direction to the respondents for being considered for selection to the post of EDDA, Badhunu, ^{Kanpur City} as he has made his application within stipulated period.

5. In OA no. 1300 of 1999, the applicant had filed his application with the prayer that his name should be considered for appointment to the post of EDDA, in any of the four Post Offices at Kanpur, namely IIT, Navin Market, Nirala Nagar and Badhunu. The OA was disposed of by order dated 22.1.1999, permitting the applicant to withdraw his application and directing the respondents to consider the candidature of the

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applicant for appointment as EDDA at par with others on merit.

6. We have heard Sri A. Srivastava proxy to for the applicant Sri KC Sinha in OA 181 of 2000, Sri Ajay Kumar, applicant in person in OA 1444 of 1999, Sri OP Gupta, for the applicant in OA 1047 of 1998 & Sri CK Rai for the applicant in OA 1300 of 1999. Shri R. Mishra proxy to Sri SC Tripathi for the respondent in OA nos. 181 of 2000, 1444 of 1999 and 1047 of 1998, None for the respondents in OA 1300 of 1999.

7. We find that directions have been given for consideration of the applicant in OA 1300 of 1999 for appointment to the post of EDDA, Badhunu, Kanpur City, as claimed by the applicant. The applicant in this case said to have sent his application form on 31.8.1998. The appointment of the applicant in OA 1444 of 1999 was cancelled on account of permission sought by the respondents in OA 1047 of 1998, through MA 4451 of 1999, in which it has been mentioned that request of the the/applicant in OA 1047 of 1998 was not considered by SDI, South Sub Division, Kanpur City, although, it was received on 22.9.1998. Hence, the position in these OAs as it stands at present is that the respondents have considered the applicants afresh and have not given to any appointment of these four applicants afresh and have not issued any appointment order on account of interim order operating in OA 1444 of 1999 dated 24.12.1999 and interim order dated 24.9.1998 in OA 1047 of 1998

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8. The dispute regarding receipt of application out side limitation fixed by the respondents still exists and the cases tangled. The learned counsel for the applicant in OA 1300 of 1999 has moved MA 1604 of 2001 for impleading Sri Vinay Trivedi as a respondent in OA 181 of 2000 and have prayed for production of appointment file by the respondents in respect of Badhunu, Post Office, Kanpur City.

9. In the light of the above facts, we consider it appropriate to direct the respondents to invite applications for filling up the post of EDDA, Badhunu Kanpur City, afresh. The applicants will have an opportunity to compete for the same in response to the notice, if they so wish. The respondents shall carry out a fresh selection after inviting application for the said post. The OA is disposed of with the above directions.

10. No order as to costs.

S. A. Singh
Member-J

Manu
Member-A

/pc/