

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH  
ALLAHABAD

Allahabad : Dated this 29th day of March, 2001.

Original Application No. 1032 of 2000.

CORAM :-

Hon'ble Mr. SKI Naqvi, J.M.

Hon'ble Maj Gen KK Srivastava, A.M.

Ajay Singh Son of Purna Singh  
Resident of Bakhredi Post Office Pujeri,  
Via Barcoat, District-Uttar Kashi.

(Sri SN Tripathi, Advocate)

. . . . . Applicant  
Versus

1. The Union of India through its Director General,  
Postal Services, New Delhi.
2. The Post Master General, Postal Services,  
Dehradun.
3. The Office Superintendent, Postal Services,  
Tihri Prakhand, Tihri.
4. Jai Prakash Semwal, S/O Jagatram Semwal,  
R/o Vill & Post Pujeri Distt-Uttar Kashi.

(Sri RC Joshi, Advocate)

. . . . . Respondents

O R D E R (O\_r\_a\_l)

By Hon'ble Mr. SKI Naqvi, J.M.

Sri Ajay Singh has come up seeking relief to the effect that the respondents be directed not to permit Sri Jay Prakash Semwal respondent no.4 to join duty on the post of Dak Pat and the impugned appointment order in favour of Sri Jai Prakash Semwal be set aside. It has also been prayed that respondents be directed to consider the claim of the applicant to appoint him as Dak Pat in pursuance of the advertisement of the post dated 4-11-1999 and the subsequent one dated 12-1-2000.

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2. Briefs fact of the case as have come through the pleadings from either sides are that the vacancy had accrued in Branch Post Office Pujeta (Patti) for which applications were invited through advertisement dated 4-11-1999. Seven candidates applied but on scrutiny the application of not a single candidate was found in order and, therefore, the post was readvertised by notification dated 12-1-2000 notifying <sup>as</sup> last date for receipt of application <sup>as</sup> 27.1.2000. As per the applicant's case previously he was informed that the applications submitted in response to earlier advertisement will be valid for second advertisement <sup>as</sup> but subsequently he came to know that he will have to apply afresh and it was on 27-1-2000 that he approached the Office of Respondents to receive his application but the same was refused. Then he had to take recourse of Registered Post which caused delay and this application was received beyond the prescribed time for the purpose. On this point the respondents have a case that the applicant never approached any person on 27-1-2000 but his application was received in the office after the prescribed date and, therefore, could not be considered.

3. Heard learned counsel for the rival contesting parties and perused the record. It is a simple case in which the applicant was to explain reason for which he could not apply within the time and that he could <sup>not</sup> redeem because in the advertisement dated 12-1-2000 about a fortnight time was given to apply. For the delay in submission of application only the applicant has to be blamed.

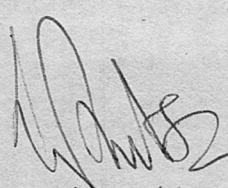
4. ~~Learned counsel for the applicant also imputed some emphasis and undertakings also ~~xxx~~ but the same could not be substantiated as well as could not be taken into account.~~

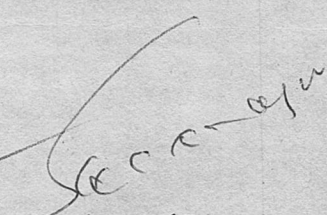
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5. From the above we find that the candidature of the applicant was not considered because his application for the post was received on 2-2-2000 whereas the last date for the purpose was 27-1-2000 and obviously for this the applicant is to suffer.

6. For the above, we do not find any merit in the matter. The OA is accordingly dismissed with no order as to costs.

  
Member (A)

  
Member (J)

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