

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 14TH DAY OF NOVEMBER, 2002

Original Application No. 1239 of 2002

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MR.SARVESWAR JHA, MEMBER(A)

Navin Singh, a/a 32 years
Son of Shri Trilok Singh,
R/o village Pithaura, P.O.
Chitai Biraura, district Almora.

... Applicant

(By Adv: Shri P.Ojha)

versus

1. Union of India through Secretary
Communication Department of Posts
Dak Bhawan, New Delhi.
2. The Post Master General,
Bareilly Region, Bareilly.
3. The Superintendent of Post Offices,
Almora.
4. Shri vinod Chandra tewari, son of
Shri Hari Dutt Tewari, resident of
village and post office Chitai,
District Almora.

... Respondents

(By Adv: Shri R.C.Joshi)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

By this OA u/s 19 of A.T.Act 1985 the applicant has
challenged the order dated 3.7.2002 by which Superintendent
of Post offices Almora has rejected the claim of the
applicant and allowed respondent no.4 to continue on the
post.

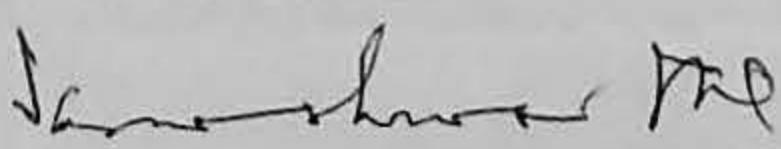
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The facts of the case are that for appointment of E.D.B.P.M, I.T.I. branch post office, Almora names were requisitioned from Employment Exchange . Six names were sponsored by the Employment Exchange including the names of applicant and respondent no.4. The selection took place and applicant was appointed by order dated 2.9.1996. However, the order of appointment of applicant was challenged by respondent no.4 by making a complaint to Director General, Department of Posts, New Delhi. The claim was that he had a better merit but applicant has been selected in an arbitrary manner. After inquiry the appointment of the applicant was terminated and respondent no.4 was appointed which was challenged in this Tribunal by filing OA No.240/97. the OA was decided on 18.4.2002 directing respondent no.3 to pass a fresh order in accordance with law after hearing the applicant and respondent no.4.

The respondent no.3 has thus passed order dated 3.7.2002(Annexure 8) impugned in this OA. After inquiry it has been found that the merit of respondent no.4 was better than applicant and he ought to have been selected for appointment as EDBPM. This fact is not disputed by the applicant that marks of applicant were less than respondent no.4 in High school examination. As the merit of respondent no.4 was better he was ~~likely to~~ allowed to continue. We do not find any error in the order.

The OA has no merit and is accordingly dismissed. No order as to costs.



MEMBER(A)



VICE CHAIRMAN

Dated: 14th Nov: 2002

Uv/