

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH: ALLAHABAD

ORIGINAL APPLICATION NO. 1379/02

WEDNESDAY, THIS THE 27TH DAY OF NOVEMBER, 2002

HON. MR. JUSTICE. R.R.K. TRIVEDI, VICE CHAIRMAN

HON. MAJ. GEN. K.K. SRIVASTAVA, MEMBER -A

Rajeev Kumar,  
s/o Nand Kumar,  
r/o Silai Baragaon  
Post Office Bhawarka,  
Dist:- Rampur. ....Applicant.

Counsel for the applicant:- Shri Pradeep Chauhan

Versus

1. Union of India,  
Through secretary/Ministry of  
Communication Department of Port,  
New Delhi.
2. Superintendent of Post  
Offices, Rampur
3. Head Post Master,  
Rampur.
4. Branch Post Master,  
Bhawarka,  
Dist:- Rampur. ....Respondents.

Counsel for the respondents:- Shri R.C.Joshi

ORDER

HON. MR. JUSTICE R.R.K. TRIVEDI, VICE CHAIRMAN

By this O.A, applicant has prayed for a direction to respondents not to interfere in the working of the applicant as EDDA in Post Office, Bhanwarka District Rampur. It has also <sup>been</sup> ~~been~~ prayed that the respondents <sup>have</sup> ~~have~~ directed to regularise the applicant on the aforesaid post.

2. The facts giving rise to this case that one Nand Kumar was working as EDDA, he retired on 5-10-2001. The applicant was given chance to work in his place and he ~~is~~ still working. It is stated that the respondents have asked applicant not to work after 30-11-2002 and he apprehends that another person shall be engaged as adhoc arrangement replacing the applicant. No ~~steps~~ <sup>steps</sup> have been taken for regular

selection of the candidate. Before coming to this Tribunal applicant made representation dated 26-9-2002 which is still pending and has not been decided.

3. Shri R.K.Tewari, counsel for the respondents, on the other hand, submitted that the applicant is not regularly selected candidate and he is not entitled to continue on the post and he cannot claim any relief for regularisation has claimed in this O.A.

4. We have considered the submissions of the learned counsel for the parties. It is true that the applicant cannot claim as <sup>a matter of</sup> right to continue on the post for which he has not been selected on regular basis but once adhoc arrangement has been made, it should not be replaced normally by another adhoc arrangement, <sup>unless</sup> there is some complaints against the work and conduct of the applicant or the guarantee given in his favour has been withdrawn. Adhoc arrangement once made should normally be continued until regular selection is made for appointment on the post, <sup>as</sup> the applicant has already made a representation before the appropriate authority, in our opinion, ends of justice will be served if respondents No. 2 is directed to pass appropriate orders on the representation of the applicant in accordance with law within a specified time.

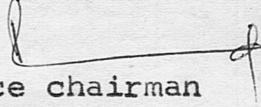
5. The O.A is disposed of with a direction to respondent No. 2 to consider and decide the representation of the applicant by <sup>a</sup> reasoned order within a month from the date ~~of~~ a copy of this



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order, is filed. To avoid delay it shall be open to  
applicant to file <sup>copy of</sup> a representation alongwith  
a copy of the order. The applicant shall be  
entitled to continue on the post until ~~his~~  
representation is decided by respondent NO. 2.  
No order as to costs.

  
Member-A

  
Vice chairman

Madhu/