

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

ORIGINAL APPLICATION No.193/2002

ALLAHABAD, THIS THE 25TH DAY OF FEBRUARY, 2002

HON'BLE MAJ.GEN. K.K. SRIVASTAVA .. MEMBER(A)

HON'BLE Mr. A.K. BHATNAGAR .. MEMBER(J)

Ashutosh Kumar Tripathi,
S/o Chandra Ketu Tripathi,
R/o. Village Dubawal,
Post Office Dubawal Uparhar,
Pargana Jhusi, Tehsil Phoolpur,
District Allahabad. ... Applicant

(By Advocate Shri A.K. Tripathi)

Versus

1. Union of India,
through Secretary,
Ministry of Communications,
Department of Posts,
Government of India,
New Delhi.
2. Senior Superintendent of Post Offices,
Allahabad Division,
Allahabad.
3. Chhotey Lal,
S/o Mata Badal Yadav,
R/o Village Dubawal,
Post Office Dubawal Uparhar,
Pargana Jhusi, Tehsil Phoolpur,
District Allahabad.
4. Post Master General,
Allahabad. ... Respondents

(By Advocate Shri G.R. Gupta))

ORDER - (ORAL)

Hon'ble Maj.Gen. K.K. Srivastava - Member (A) :

In this O.A. filed under Section 19 of the A.T. Act,
the applicant has challenged the appointment of Respondent
No.3 as Extra Departmental Branch Post Master (EDBPM),
Dubawal, District Allahabad and has prayed that order

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dated 26.6.2001, appointingⁱⁿ the Respondent No.3 on the post of EDBPM, Dubawal, may be quashed and the respondents be directed to appoint the applicant as EDBPM Dubawal.

2. The facts giving rise to this O.A. in short are that the Senior Superintendent of Post Offices, Allahabad, Respondent No.2, invited applications for appointment on the post of EDBPM, Dubawal, vide letter dated 15.3.1999. The last date fixed for submission of applications was 13.4.1999. Pursuant to the notification dated 15.3.1999, the applicant applied for the post. As per the applicant, Respondent No.3 has been appointed as EDBPM, Dubawal, in spite of the fact that the applicant is higher in merit and also fulfillsⁱⁿ all the necessary conditions to be appointed on the said post. The learned counsel for the applicant alleged that the selection of Respondent No.3 is not fair and has been irregularly done.

3. Shri A.K. Tripathi, learned counsel for the applicant also submitted that against the appointment of Respondent No.3, the applicant has sent his detailed representation to Post Master General, Allahabad, on ^{6.7.2001} ~~6.6.2001~~, which has not been decided so far. The learned counsel prays that the Respondent No.4, Post Master General, Allahabad, may be directed to decide the representation of the applicant dated 6.6.2001 expeditiously.

4. Shri Ashish Gopal, holding brief of Shri G.R. Gupta, learned counsel for the respondents has no objection.

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Corrected vide order
dated 12.4.2002

[Signature]

Am
12.4.02

[Signature]

5. The O.A. is finally disposed of with the direction to the Post Master General, Allahabad, Respondent No.4, to decide the representation of the applicant dated 6.7.2001 ^{by a speaking order} 6.6.2001 within 3 months from the date this order is filed before him, after hearing both the parties. There shall be no order as to costs.

Corrected vide
order dated 12.4.2002

[Signature]

12.4.2002

[Signature]

MEMBER (J)

[Signature]

MEMBER (A)

psp.