

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 24TH DAY OF JANUARY, 2002

Original Application No. 49 of 2002

CORAM:

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

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER(A)

Mahesh Prasad, son of
Shri Sharda Prasad, R/o Vill. Soraon
Post Meza Road, District Allahabad.

... Applicant

(By Adv: Shri B.N.Singh)

Versus

1. Union of India through its Secretary,
Ministry of Communication,
Dak Bhawan, Sansad Marg,
New Delhi.
2. The Post Master General
Allahabad Region, Allahabad.
3. The Senior Supdt. of Post
Offices, Allahabad.
4. Subba Lal, son of Angunu,
R/o vill. Manbodh ka pura
P.O. Lohari district Allahabad.

... Respondents

(By Adv: Shri Ganga Ram)

O R D E R(Oral)

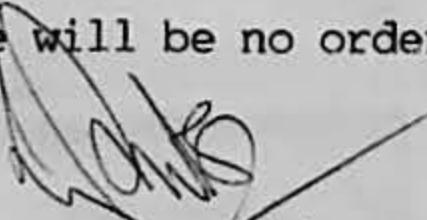
JUSTICE R.R.K.TRIVEDI,V.C.

By this application u/s 19 of A.T.Act 1985 the applicant has prayed to quash the appointment of respondent no.4 and direct the respondents to appoint the applicant as E.D.B.P.M, Lohari district Allahabad. The case of the applicant is that in merit applicant was more suitable for appointment as E.D.B.P.M but the appointment has been denied to the applicant on the ground that Harish Chandra Yadav who had promised to let out his house to applicant for opening post office, subsequently denied the promise before the S.D.I. Against this applicant approached Senior Supdt. of Post Office, also filed affidavit of Harish Chandra Yadav who asserted that he never denied and the report of the S.D.I. was not correct.

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In subsequent inquiry through Deputy Supdt. of Post office, Allahabad it was found that Harish Chandra Yadav is prepared to give his house for opening post office to the applicant. Though all these materials was on record, the grievance is that the respondents have appointed respondent no.4 illegally and in arbitrary manner. Before coming to this Tribunal applicant filed a detailed representation before the Post Master General on 13.12.01, a copy of which has been filed as Annexure 10 to the OA. The representation is still pending and has not been decided. As the applicant has already approached the Competent Authority in the department, in our opinion ends of justice will be served if Post Master General is directed to decide the representation of the applicant within a specified time by a reasoned order after hearing the parties.

The OA is accordingly disposed of finally with the direction to the respondent no.2 to decide the representation of the applicant by a reasoned order within two months from the date a copy of this order is filed before him after hearing the applicant and respondent no.4. To avoid delay it shall be open to the applicant to file a copy of the representation alongwith copy of this order. There will be no order as to costs.


MEMBER(A)


VICE CHAIRMAN

Dated: 24th January, 2002

Uv/

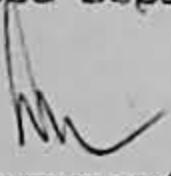
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HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

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We have heard Shri B.N.Singh counsel for the applicant and
Shri G.R.Gupta learned counsel appearing for the respondents.
Order dictated, typed separately.


MEMBER(A)


VICE CHAIRMAN

Uv/