

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 28th day of JANUARY 2004.

Hon'ble Maj Gen KK Srivastava, Member-A
Hon'ble Mr. AK Bhatnagar, Member-J

Original Application no. 1582 of 2003.

Vidya Kant Dwedi, S/o Sri R.A. Dwedi,
R/o Village and Post Bashahara, Tehsil Meja,
ALLAHABAD.

... Applicant

By Adv : Sri A.K. Srivastava

V E R S U S

1. Union of India through its Secretary,
Ministry of Communication,
Departmental of Postal Services,
NEW DELHI.
2. Chief Post Master General,
U.P. Circle,
LUCKNOW.
3. Post Master General,
Allahabad Region,
ALLAHABAD.
4. Senior Supdt. Post Offices,
ALLAHABAD.

... Respondents.

By Adv : Sri R.C. Joshi

O R D E R

Maj Gen KK Srivastava, AM.

In this OA, filed under Section 19 of the A.T.
Act, 1985, the applicant has prayed for following reliefs:-

- i. to set aside the result for selection to the post
of Postal Assistant/Sorter Assistant, which is
annexure 3 to this O.A.
- ii. to direct the respondents to start the fresh process
of promotion according to Rule.

...2/-

2.

- iii. to direct the respondents to consider the candidate/applicant for promotion as per rule and the confidential report of service record.
- iv. to pass any other order or direction as this Tribunal may deem fit and proper.
- v. to award the cost of the application to the applicant.

2. The grievance of the applicant is that the Lower Grade Official (in short LGO) Examination for promotion to the cadre of Postal Assistant/Sorter Assistant on 12.5.2002 was not conducted properly and unfair-means were adopted to help certain candidates. The result of the same examination was declared on 05.02.2003 and against the same the applicant filed OA no. 297 of 2003, which was disposed of by order dated 02.04.2003 by passing following order :-

"The O.A. is finally disposed of at the admission stage itself with direction to respondent no. 2 to enquire into the matter as reported by the applicant and also by Union by letter dated 06.03.2002 (Annexure 2.A, B and C, Page 15 to 20 of the O.A.) as well as the letter dated 29.6.2000 filed before respondent no. 3 i.e. Postmaster General Allahabad Region, Allahabad. The respondents are further directed to examine the entire issue and pass appropriate orders. In case as a result of enquiry ; it is found that there is some substance in the complaint made by the applicant or otherwise, the respondents shall pass a reasoned and suitable order on the representation of the applicant within three months from the date of communication of this order."

In pursuance of the direction of this Tribunal, respondent no. 3 i.e. Post Master General (in short PMG) Allahabad has passed the impugned order dated 8.9.2003 (Ann 1) with which the applicant is not satisfied.

...3/-


3.

3. Sri A.K. Srivastava, learned counsel for the applicant submits that the enquiry has not been conducted in a proper manner because in the enquiry the complainant has not been associated, besides the applicant has not been supplied with the copy of the enquiry report. Learned counsel for the applicant further submitted that a suitable direction should be issued to the respondents so that the justice is done to the applicant infuture.

4. We have heard learned counsel for the parties, considered their submissions and perused the impugned order dated 08.09.2003. In para 3 of the said order, respondent no. 3 i.e. P.M.G. Allahabad, who is a responsible senior officer of the department, has categorically stated that the enquiry was conducted through ASP (Vigilance) and the report was sent to the Chief post Master General, UP Circle, Lucknow and no allegation was found proved.


5. In the circumstances no doubt is left in our mind that the allegations levelled by the applicant were got enquired into and seen at the highest level in the department in the postal Circle. We do not find any good ground for interference. Needless to mention that the examinations for promotion in the department have to be held in fair manner and we hope that the suitable precautions would be taken by the department so that avoidable controversy of this nature ^{high} ~~are~~ avoided.

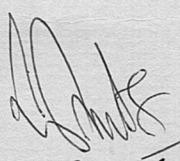
...4/-



4.

6. In view of the above the OA has no merit and is liable to be dismissed and the same is accordingly dismissed with no order as to costs.


Member (J)


Member (A)

/pc/