

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 07th day of July, 2003.

Original Application No. 225 of 2003.

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

Kanhaiya Lal Singh S/o Sri Keshav Singh
R/o Vill. and Post- Purani Bazar (Mod),
Distt. Sant Ravidas Nagar, Bhadohi.

.....Applicant

Counsel for the applicant :- Sri S.K. Singh

V E R S U S

1. Union of India through Secretary, M/o Communication,
D/o Post, New Delhi.
2. Superintendent of Post Offices,
Varanasi Region, Varanasi.
3. Post Master, Head Post Office,
Varanasi Cant, Varanasi.
4. Sub Post Master, Post Office-Purani Bazar (Mod),
Distt. Sant Ravidas Nagar, Bhadohi.
5. Chhote Lal Singh S/o Sri Paras Nath Singh, EDDA/MC,
Post Office- Purana Bazar (Mod), Distt. Sant Ravidas
Nagar, Bhadohi.

.....Respondents

Counsel for the respondents :- Sri G.R. Gupta

O R D E R (Oral)

By Hon'ble Maj. Gen. K.K. Srivastava, Member- A.

The case of the applicant is that his father retired from the post of EDDA/MC, Purana Bazar (Mod) Post Office in the year 2000. The applicant made request to the respondents and he was engaged as EDMC on 03.07.2002 (Charge Assumption Report is annexed as Annexure A- 2). The applicant worked on the post to the entire satisfaction of the public

as well as the respondents for four months. The grievance of the applicant is that without affording any opportunity he has been dis-engaged and Sri Chhote Lal Singh, respondent No. 5 has been engaged. The learned counsel for the applicant submitted that the action in dis-engaging the applicant is arbitrary and illegal because an adhoc appointee cannot be replaced by another adhoc appointee.

2. Sri G.R. Gupta, learned counsel for the respondents submitted that the applicant has neither submitted any^h appointment order nor the termination order. It is also not clear if he was ever appointed on adhoc basis, he ^{might} should have been engaged for a very short time arrangement. The learned counsel for the respondents further submitted that no legal right has ^{accrued} accrued to the applicant and he cannot claim appointment on this ground.

3. We have heard counsel for the parties, considered their submission and perused records.

4. Since the applicant has filed a representation dated 26.09.2002 (Annexure A-4) before the respondent No. 2, in our opinion, the ends of justice shall better be served, if a direction is issued for deciding the representation of the applicant within specified time.

5. In the facts and circumstances, we dispose of this O.A at the admission stage itself with direction to respondent No. 2 to decide the representation of the applicant dated 26.09.2002 (Annexure A-4) within three months from the date of communication of this order by a reasoned and speaking order.

6. There will be no order as to costs.


Member- J.


Member- A.

/Anand/