

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Dated : This the 21st day of JULY 2003.

Original Application no. 617 of 2003.

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

Hon'ble Mrs Meera Chhibber Member J

Tej Bahadur, S/o Sri Raja Ram

R/o Vill and Post Sarai Mohan (Thekma),

AZAMGARH.

..... Applicant

By Adv : Sri K.N. Rai

Versus

1. The Union of India through Secretary,
Ministry of Communication, Department of Post,
NEW DELHI.
2. Senior Superintendent of Post Office,
Azamgarh Division.
3. The Inspector (Post), Lalganj,
Azamgarh.

..... Respondents

By Adv : Sri N.C. Tripathi

O R D E R

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

In this OA, filed under Section 19 of the A.T. Act, 1985, the applicant has prayed for direction to the respondents to continue him on the post of Extra Departmental Mail Peon, (in short EDMP) Sarai Madan and regularise his services. The applicant has further prayed that the direction be issued to the respondents not to interfere in the working and duty of applicant as EDMP/GDSMC.

.....2/-

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2. The grievance of the applicant is that he was engaged as a substitute in the year 1999 for some ^htimes and, thereafter, he continued as substitute EDMP w.e.f. 01.01.2002 to 12.05.2003. His services have ^hbeen terminated without any show cause notice. Learned counsel for the applicant submitted that the working of the applicant ^his ^halthough been ^hsatisfactory and there has been no complaint with regard to his working. The claim of the applicant is that either his services should be regularised ^hor ^hwhen the selection is made for regular appointment he should be given priority on account ^hof his experience on the said post.

3. We have heard learned counsel for the parties and perused records.

4. Admittedly, the applicant is not regularly ^hselected ^hand ^hcandidate/as he was working on the said post as substitute no right for regularisation on the said post accrues to him. However, in our opinion, the ends of justice shall be better served, if the applicant is given liberty to file a representation before respondent no. 2, who should decide the same by a reasoned and speaking order within specified time.

5. For the aforesaid reason, the OA is disposed of at admission stage itself with direction to respondent no. 2 ie. Senior Supdt. of Post Offices, Azamgarh Division to decide the representation of the applicant, if filed, within four weeks, by a reasoned and speaking order within three months

...3/-



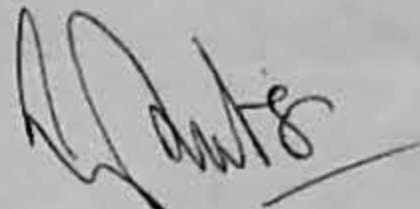
3.

from the date of communication of this order alongwith representation. It is further provided that the case of the applicant shall be considered for appointment on the post when the process for regular selection is initiated provided the applicant applied for the same.

6. There shall be no order as to costs.



Member J



Member A

/pc/