

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 18th day of July, 2003.

Original Application No. 758 of 2003.

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

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

Arun Kumar Chaurasiya S/o Sri G.P. Chaurasiya  
R/o Vill. and Post- Deogaon, Distt. Azamgarh.

.....Applicant

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

V E R S U S

1. Union of India through its Secretary,  
M/o Communication, D/o Post, New Delhi.
2. Senior Post Master, Azamgarh.
3. Sub-Divisional Dak Inspector (Post Office),  
Lalganj, Azamgarh.
4. Branch Post Master Shrikant Pur. Azamgarh.

.....Respondents

Counsel for the respondents :- Sri R.C. Joshi

O R D E R (oral)

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

In this O.A filed under section 19 of the Administrative Tribunals Act, 1985, the grievance of the applicant is that he was engaged on the post of EDDA in branch post office Shrikant-pur, Distt. Azamgarh on 26.11.2002 and he has been dis-eneged w.e.f 17.06.2003 without giving him any show-cause or written order. The applicant has prayed that the respondents be directed to re-instate the applicant on the post of Delivery Agent, Shrikantput Branch Post Office. The learned counsel for the applicant submitted that the action of the respondents is arbitrary and illegal. Learned counsel for the respondents submitted that the applicant has worked only

for six months and no right accrues to him to claim the appointment as he is not <sup>an</sup> regularly selected candidate.

2. We have heard learned counsel for the parties, considered their submissions and perused records.

3. The applicant appears to have been engaged as EDDA on provisional basis/temporary arrangement because the applicant has not filed any appointment letter. Since the applicant does not appear to be regularly selected candidate, he has been dis-engaged. The claim of the applicant is sustainable in case the requirement of EDDA is there. The legal position has been well settled in this regard that an adhoc cannot be replaced by another adhoc.

4. In our opinion, the interest of justice shall better be served, if the applicant files a representation before Senior Superintendent of Post Offices, Azamgarh Division, Azamgarh who shall decide the same within specified time. The O.A is accordingly disposed of finally at the admission stage itself with direction to the S.S.P.Os, Azamgarh to decide the representation, if so received, within 4 weeks alongwith copy of this order, within <sup>an</sup> period of two months by a reasoned and speaking order.

There shall be no order as to costs.

  
Member- J.

  
Member- A.

/Anand/