

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD.

ORIGINAL APPLICATION NO.545 of 2006.

ALLAHABAD THIS THE 18<sup>TH</sup> DAY OF JULY 2006.

Hon'ble Mr. Justice Khem Karan, V.C.  
Hon'ble Mr. P.K. Chatterji, A.M

1. Ashok Kumar Mishra  
Son of late Hausila Prasad Mishra,  
R/o Village Kurkuthia, Post Sandawa,  
District Mirzapur.
2. Raj Nath Upadhyay.  
Son of late Satya Narain Upadhyay,  
R/o Village Parmanpur, Post Srinivasdham,  
District Mirzapur.
3. Sri Kant Dwivedi  
Son of Sri Shiv Saran Dwivedi  
R/o Village and P.O Birsapur, District Mirzapur.
4. Kripa Shankar Singh,  
S/o late Sohan Singh,  
R/o Dhanaita, Post Domanpur,  
District Mirzapur.

.....Applicants.

(By Advocate : Sri V.K. Dwivedi/Sri R.N Pandey)

Versus.

1. Union of India through Secretary, Ministry of Communication, Department of Post Dak Bhawan, Sansad Marg, New Delhi.
2. Superintendent Post Offices,  
Mirzapur Division Mirzapur.
3. Post Master, Head Post Office, Mirzapur.
4. District Soldier Welfare and Rehabilitation Officer,  
Mirzapur.

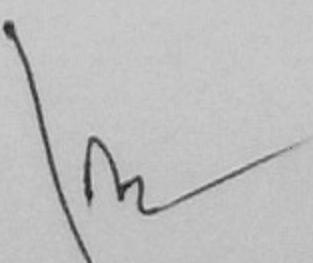
.....Respondents.

O R D E R

By Hon'ble Mr. Justice Khem Karan, V.C.

Heard Sri V.K. Dwivedi counsel for the applicant on admission of this O.A.

2. The grievance of the applicants is that their services as Security Guard have been dispensed with without any good



2.

reason vide order dated 3.5.2006 (Annexure 1). They have come with a case that earlier they were engaged as Security Guard in the Post Office Mirzapur under respondent NO.2 and they continued discharging their duties efficiently but now by these orders of May 2006, they have been relieved. It is also submitted that respondent NO.2 is going to engage other persons in place of applicant and that too on higher wages. Learned counsel for the applicant says that engagement of persons at higher wages ~~is~~ detrimental to Public exchequer and there is no point in not taking the services of the applicants on cheaper rate. It is also said that representation (copy of which is Annexure 6) given to the Superintendent of Post Offices is also lying undecided. Sri S. Singh, Senior Standing Counsel for Union of India has stated that this O.A. is not maintainable.

3. After hearing counsel for the parties, we are of the view that this O.A. is not worth admission. Actually speaking the persons, who have no right to hold the ~~certain~~ posts in the Government, cannot come against such dispensing with of the services. They are free to approach the Authorities and it will be for the Authority concerned to act according to their Policy, Rules and Regulations. The O.A. is dismissed in limine.

No costs.

*meat-*

Member-A

*Vice-Chairman.*

Manish/-