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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

ORIGINAL APPLICATION NO.10 OF 2007.

ALLAHABAD THIS THE 05TH DAY OF JANUARY 2007.

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

Hon'ble Mr. P.K. Chatterji, A.M

Yashwant Kumar aged about 25 years, son of Sri Ram Badan Maurya, R/o
Village and Post Youdhisthir Patti, District Azamgarh.

.....Applicant

(By Advocate: Sri B.N Singh)

Versus.

1. Union of India through its Secretary, Ministry of Communication
(Postal) Dak Bhwan Sansad Marg, New Delhi.
2. The Senior Supdt. Of Post Offices, Azamgarh Division Azamgarh.
3. Assistant Supdt. Of Post offices, Mau.

.....Respondents

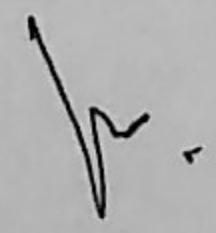
ORDER

By Mr. Justice Khem Karan, V.C.

Heard Sri B.N Singh, learned counsel for the applicant on this O.A.

2. The applicant who has passed Prathima examination in 2004 from Hindi Sahitya Samelan, Allahabad, has applied for his appointment on the post of G.D.S.M.C.M.D Post Office Nauthipur (Madhuban) District Mau in response to the notification dated 06.11.2006. He says that according to the notification and relevant Rules, one who is matriculate or who has passed equivalent examination, is eligible for being considered for appointment on the said post. He says that it transpires from the steps being taken by the respondents that they are not going to consider the case of the applicant on the ground that he is not matriculate or he has not passed examination equivalent to that examination.

3. Sri B.N Singh, learned counsel for the applicant has referred to notification dated 14.5.2004 (Annexure 3) issued by Ministry of Human Resource Development, Department of Secondary & Higher Education, Govt. of India and also to few decisions such as decision dated 11.3.2004 passed in O.A. NO. 221/04, Shiv Prakash Mishra Vs. Union of India and



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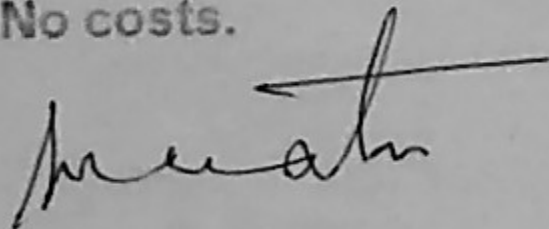
decision dated 10.11.2004 passed in O.A. NO.1393/04, Sarita Maurya Vs. Union of India and others of this Bench, so as to say that Prathima examination of Hindi Sahitya Samelan, Allahabad is equivalent to High School examination. Sri B.N Singh has said that in compliance of decisions mentioned above, the respective candidates were considered and even appointed. He says that the applicant has given one representation, copy of which is Annexure 10, to respondent NO.3 but he has taken no action on that representation.

4. Sri B.N. Singh has submitted that respondent NO.3 may be asked to consider and decide the representation dated 19.12.2006, copy of which is Annexure 10, in the light of said notification and decisions within a period to be fixed by this Tribunal and in any case before any consideration of the candidature of various applicants takes place.

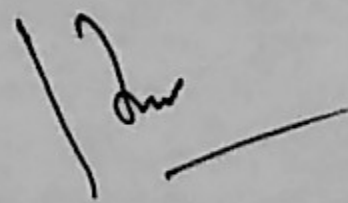
5. We think the O.A. can be disposed of at the admission stage itself with a suitable direction to the respondent NO.3.

6. So the O.A. is disposed of with a direction to the respondent NO.3 to consider and decide the said representation of the applicant in the light of abovementioned notification and decisions, within a period of 15 days from the date of certified copy of this order. If copies of notification and said decisions have not been annexed to the said representation, the applicant will supply the same to the Authority concerned within a period 7 days.

No costs.



Member-A



Vice-Chairman.

Manish/-