

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD**

**Original Application No. 956 of 2007**

Friday, this the **28<sup>th</sup>** day of **September** 2007

**Hon'ble Mr. Justice Khem Karan, Vice Chairman  
Hon'ble Mr. K.S. Menon, Member (A)**

Kudaha Prasad S/o Shiv Prasad Khatik, R/o G.D.S. (schedule caste) Dharmungadpur, Ghatampur, Kanpur Nagar.

**Applicant**

**By Advocate Shri Mukul Tripathi**

**Versus**

1. Union of India through its Secretary, Ministry of Communication (Post), New Delhi.
2. Chief Post Master General, U.P. Circle, Lucknow.
3. Post Master General, Deptt. Of Posts, Kanpur.
4. Superintendent of Post Offices, Kanpur (M) Division, Kanpur.
5. Rakesh Kumar S/o Bachchan R/o Vill. Parachand, Kanpur Nagar posted in Head Office, Unnao.

**Respondents**

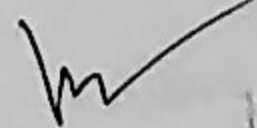
**By Advocate Shri Saumitra Singh**

**ORDER**

**By Justice Khem Karan, V.C.**

Shri Mukul Tripathi appears for the applicant and Shri Saumitra Singh for the respondents. Heard, Counsel for the parties. We are of the view that this O.A. should be disposed of with direction to respondent No.2 to consider and dispose of the representation dated 18.08.2007 (annexure-A) of the applicant by a reasoned and speaking order.

2. The case of the applicant is that he, respondent No.5 and few others appeared in the departmental selection test for the



post of Postman and in that selection he as well as respondent No. 5 secured equal marks. His grievance is that though he secured equal marks with respondent No.5 and though his date of joining on the post of E.D. was earlier to the date of joining of respondent No.5, but respondent No.5 was given appointment ignoring the claim of the applicant. He says that he tried to know from the department under the Right to Information Act, 2005 as to why it had been done but, the department refused to give such information. He has also said that he has given representation dated 18.08.2007 (Annexure-A) to the Chief Post Master General, U.P. Circle, Lucknow but he too has not passed any order on that representation.

3. In view of the facts and circumstances, as stated in the preceding paragraphs, this O.A. is finally disposed of with direction to the respondent 2 to consider and dispose of the representation dated 18.08.2007 (annexure-A) of the applicant by a reasoned and speaking order in accordance with Rules, within a period of one month from the date a certified copy of this order together with copy of the said representation is produced before him. We make it clear that we are not expressing our view with regard to merit or demerit of the case. No cost.

*[Handwritten Signature]*  
Member (A) 28.9.07

*[Handwritten Signature]*  
28.9.07  
Vice Chairman

/M.M./