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CAT/J/12

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
NEW DELHI

O.A. No. 196 OF 1988
TAX NO.

DATE OF DECISION 9.8.1991

Shri G.M. Rami

Petitioner

Mr. G.A. Pandit

Advocate for the Petitioner(s)

Versus

Union of India and Others

Respondent

Mr. Jayant Patel

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. M.M. Singh : Administrative Member

The Hon'ble Mr. S. Santhana Krishnan : Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? Yes
2. To be referred to the Reporter or not? No
3. Whether their Lordships wish to see the fair copy of the Judgement? No
4. Whether it needs to be circulated to other Benches of the Tribunal? No

(3)

Shri G.M.Rami,
Cashier, Telecome District
Engineer,
Himatnagar.

...Petitioner

(Advocate : Mr.G.A.Pandit)

Versus

1. Union of India, through
General Manager, Telecome
Gujarat Circle, Ambica Nivas,
Near High Court,
Navrangpura,
Ahmedabad.
2. Shri H.N.Sanu, A.D.T. (Staff),
Area Manager, Telecome,
Ahmedabad.
3. Shri S.P.Srivastav or his
successor in office,
Telecommunication District,
Himatnagar.

...Respondents.

(Advocate : Mr.Jayant Patel)

O.A./196/1988

O R A L - O R D E R

Dated : 9.8.1991

Per : Hon'ble Mr. M.M. Singh : Member (A)

This Original application filed by the applicant under section 19 of the Administrative Tribunals Act, 1985 sought relief against holding a fresh selection for the post of Cashier after he was duly selected by a D.P.C. and appointed as cashier.

2. We have heard Mr. G.A. Pandit, learned counsel for the applicant. None present for the respondents.

3. The respondents' case as seen in their reply is that after the selection of the applicant for the post

H. H. J

(A)

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they found that the D.P.C. which was held on 27.11.1987 had not taken into consideration all the materials facts and omitted the available person and selected an ineligible person through inadvertance and erroneous conception. The Area Manager, Telecom. had therefore, quashed the said D.P.C. proceedings and ordered fresh D.P.C.

4. The applicant was protected by an order of ~~restraint~~^{Stay} ~~filling~~ against ~~filling~~ up of the vacancy in the post of cashier. As a result of this stay order, the applicant has continued in the post of cashier all ^{these} times.

5. The respondents have in their reply annexed copy of circular dt. 21.1.1968 from D.G.P.&T. to all heads of circles and telecom districts on the subject of recruitment to the post of cashier/treasurer in the Time Scale in P & T offices. Last but one para of the circular is to the effect that the official selected as cashier in the prescribed manner will hold the position on a tenure for a period of four years. In the case of the applicant, though on the averment of the respondents ^{he} ~~came~~ to be wrongly selected for the post, the applicant will be completing four years of his tenure post on 15.12.1991.

6. In view of the fact that the tenure of the applicant will come to an end on the above date in December, 1991, we do not consider it necessary to take this application for adjudication and direct that we make the rule absolute upto 15.12.1991. Application is disposed of. There are no orders as to costs.


S Santhana Krishnan)
Member (J)


(M M Singh)
Member (A)