

Re-organisation
No.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No. 430 of 1991
~~REASON~~

DATE OF DECISION 1.1.1992

Shri M.S. Gujarati Petitioner

Shri I.M. Pandya Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondent

Shri Jayant Patel for Shri Mukesh Patel. Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. A.B. Gorthi : Member (A)

The Hon'ble Mr. R.C. Bhatt : Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement ? *for*
2. To be referred to the Reporter or not ? *m*
3. Whether their Lordships wish to see the fair copy of the Judgement ? *m*
4. Whether it needs to be circulated to other Benches of the Tribunal ? *m*

Shri M.C. Gujarati
(Advocate : Shri I.M. Pandya)

: Applicant

VS

Union of India & Ors.
(Advocate : Shri Jayant Patel for
Shri Mukesh Patel)

: Respondents

O R A L - O R D E R

O.A. No.430 of 1991

Date : 1.1.1992

Per : Hon'ble Shri R.C. Bhatt

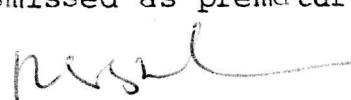
: Member (J)

Heard learned advocate Mr. I.M. Pandya for the applicant. The applicant has filed this application under Section 19 of the Administrative Tribunals Act, 1985, seeking the relief of directing the respondents to regularise the service of the applicant as E.D.B.P.M. and restraining the respondents from in any way taking over the charge from the applicant and handing over the same to any other person. In para 3 of the application, the applicant has not mentioned the order which he wants to impugn before this Tribunal. It is the case of the applicant that he has joined as Extra Departmental Post Master, Bamangadh on the vacant post, ^{as} since it was not possible to make regular appointment to the said post by the second respondent, The appointment was provisional and could be terminated when regular appointment is made.

As per Annexure -A, the applicant received a letter from the second respondent dated 3.6.1991 for the recruitment of E.D.B.P.M. at Bamangadh, and he was called upon to apply to the second respondent on or before 14.6.1991 alongwith necessary certificates. It is the case of the applicant that the Employment Exchange sponsored the names of some candidates wherein his name was also sponsored and he appeared. The applicant was called upon to remain present in the office of the second respondent on 8.7.1991 alongwith necessary certificates. It is the apprehension of the applicant that the respondents are trying to put other person in place of the applicant, and hence this application is filed.

2. Going through the application, it is clear that the applicant has appeared before second respondent for interview on 8.7.1991. This application is filed only on the ground of the apprehension that he may not be continued on the post of E.D.B.P.M. In our opinion, this application is premature and such application on apprehension which the applicant has narrated in para 4 of the application cannot give him cause of action to file this application.

3. The result is that the application is summarily dismissed as premature.


(R.C. BHATT)
Member (J)


(A.B. GORTHI)
Member (A)

Shri M.C. Gujarati
(Advocate : Shri I.M. Pandya)

: Applicant

VS

Union of India & Ors.
(Advocate : Shri Jayant Patel for
Shri Mukesh Patel)

: Respondents

O R A L - O R D E R

O.A. No.430 of 1991

Date : 1.1.1992

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: Member (J)

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(R.C.BHATT)
Member (J)

(A.B. GORTHI)
Member (A)