

111  
5  
9

CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH : CUTTACK.

Original Application No.264 of 1987.

Date of decision : July 19,1988.

Sobhan Khan, aged about  
25 years, son of Babujan Khan,  
Ex-E.D. Stamp Vendor, Pattamundai, S.O.,  
At, P.O. Pattamundai, District-Cuttack.

... Applicant.

Versus

1. Union of India,  
represented by its Secretary, Posts,  
Dak Bhawan, New Delhi.
2. Postmaster General, Orissa Circle,  
At, P.O. Bhubaneswar, Dist-Puri.
3. Superintendent of Post Offices,  
Cuttack North Division, P.O./Dist.  
Cuttack-753001.
4. Sub-Postmaster (L.S.G.),  
Pattamundai-754 215,  
District- Cuttack.

... Respondents.

For the applicant : M/s. Devanand Misra,  
Deepak Misra,  
R.N. Naik, S.S. Hota,  
A. Deo, Advocates.

For the respondents : Mr. Tahali Dalai, Additional Standing  
Counsel (Central)

-----  
C O R A M :

THE HON'BLE MR. B. R. PATEL, VICE-CHAIRMAN

A N D

THE HON'BLE MR. K. P. ACHARYA, MEMBER (JUDICIAL)

- 
1. Whether reporters of local papers may be allowed to  
see the judgment ? Yes.
  2. To be referred to the Reporters or not ? No
  3. Whether Their Lordships wish to see the fair copy  
of the judgment ? Yes.
-

6 10 <sup>IV</sup>J U D G M E N T

K.P.ACHARYA, MEMBER (J)

In this application under section 19 of the Administrative Tribunals Act, 1985, the applicant prays for a direction to be issued to the respondents for appointing him as an Extra-departmental Stamp vendor.

2. Shortly stated, the case of the applicant is that he was appointed as an Extra-departmental Stamp Vendor on 6th January, 1974 and on 31.7.1984 his services were terminated, under Rule 6 of the Extra-departmental Agents (Conduct and Service) Rules, 1964. Hence, this application.

3. In their counter the respondents maintained that certain irregularities having been committed by the departmental authorities in the matter of appointment of the petitioner, his services were rightly terminated by the authorities and therefore no interference by this Bench is called for.

4. We have heard Mr. Deepak Misra, learned counsel for the applicant and Mr. Tahali Dalai, learned Additional Standing Counsel (Central) at some length. We have also perused the averments in the counter. There is no stigma against the applicant or any sort of allegation touching the integrity of the applicant. The only ground on which the applicant's services have been terminated is because of certain irregularities committed by the authorities for which the applicant is not at fault. Admittedly, the applicant was selected in preference to other candidates amongst whom he had secured highest marks in Matriculation.

lex, Considering all these aspects, we would say that a

11 7 V

compassionate view should be taken in regard to the applicant and if possible, the competent authority would consider the appointment of the applicant as Extra-departmental Stamp Vendor elsewhere.

5. Thus, this application is accordingly disposed of leaving the parties to bear their own costs.

*[Signature]*  
.....19.7.88.....  
Member (Judicial)

B.R.PATEL, VICE-CHAIRMAN,

9 agree.



*[Signature]*  
.....19.7.88.....  
Vice-Chairman

Central Administrative Tribunal,  
Cuttack Bench, Cuttack.  
July 19, 1988/S. Sarangi.