

11

4

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH : CUTTACK.

Original Application No.173 of 1989.

Date of decision : May 8, 1989.

Bijay Kumar Sahoo, aged about 32 years, son
of Lingaraj Sahu at present working as Extra-
Departmental Branch Postmaster at Sonepur Branch
Post Office in account with Daringabadi S.O.
Dist. Phulbani. ... Applicant.

Versus

1. Union of India, represented by its
Secretary, Department of Posts,
Dak Bhawan, New Delhi.
2. Postmaster General, Orissa Circle,
AT/P.O.Bhubaneswar, Dist.Puri.
3. Superintendent of Post Offices,
Phulbani (O) Division, AT/B.O./
Dist-Phulbani, Orissa.

... Respondents.

For the applicant ;;; Mr.L.K.Sen, Advocate.

For the respondents... Mr.A.B.Mishra,
Sr.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.

JUDGMENT

111

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 Respondent No. 3, i.e. the Superintendent of Post Offices, Phulbani (0) Division to allow the applicant to work as Extra-Departmental Branch Postmaster, Sonepur Branch Post Office till regular appointment is made from amongst the residents of Sonepur as provided under the relevant rules.

2. Shortly stated, the case of the applicant is that as an interim measure the applicant was working in the Sonepur Post Office as an Extra-Departmental Branch Postmaster within the district of Phulbani. A regular candidate being available the applicant was asked to vacate the office and the candidate found to be suitable has been appointed. In this connection, the applicant had come up before this Bench with an application under section 19 of the Administrative Tribunals Act, 1985 which formed subject matter of Original Application No. 9 of 1989 disposed of on 21.2.1989. Though we dismissed the said application yet we had stated in the judgment that the case of the applicant should be considered sympathetically and compassionate view should be taken over the applicant for appointment in any other posts as Extra-Departmental Branch Postmaster when available in future. Now the grievance of the applicant before us put through his counsel is that as yet nothing has been done to provide the applicant an employment.

3. We have heard Mr. L.K. Sen, learned counsel for the applicant and Mr. A.B. Mishra, learned Senior Standing Counsel (Central) at some length. For some bonafide reason this

might have escaped the notice of the concerned authority, if the statement of facts made by Mr. Sen are true and correct. However we would say that the Postmaster General, Orissa Circle, Bhubaneswar would look into the matter and give necessary relief to the applicant as soon as possible in the light of the observations made in our judgment passed in Original Application No. 9 of 1989. Learned Senior Standing Counsel (Central) submits before us that he would get in touch with the Postmaster General and do the needful as soon as possible.

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

Keaser 8/5/89
.....
Member (Judicial)

B.R. PATEL, VICE-CHAIRMAN,

I agree.

Arshad 8.5.89
.....
Vice-Chairman

Central Administrative Tribunal,
Cuttack Bench, Cuttack.
May 8, 1989/Sarangi.

