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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH : CUTTACK.

Original Application No.186 of 1989.

Date of decision : May 10, 1989.

Ananta Prasad Tripathy, aged about 33 years,
son of Late Netrananda Tripathy,
At/P.O.Talakurunia, Via-Gopalpur,
District-Balasore, At present EDMC, AvanaS.O.,
At/P.O.Avana, Dist.Balasore.

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Applicant.

Versus

1. Union of India, represented by the Secretary, Department of Posts, Dak Bhawan, New Delhi.
2. PostmasterGeneral, Orissa Circle, At/P.O.Bhubaneswar, Dist-Puri.
3. Superintendent of Post Offices, BalasoreDivision, At/P.O./Dist-Balasore.
4. Sub-Divisional Inspector (Postal), Soro Sub-Division, S.O.R.O., Dist.Balasore.

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Respondents.

For the applicant M/s.Deepak Misra,
R.N.Naik,
A.Deo,
B.S.Tripathy, Advocates.

For the respondents ... Mr.A.B.Mishra,
Senior 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 ?
3. Whether Their Lordships wish to see the fair copy of the judgment ? Yes.

JUDGMENT

K.P.ACHARYA, MEMBER (J) In this application under section 19 of the Administrative Tribunals Act, 1985, the applicant prays to pass appropriate orders commanding the respondents to consider the candidature of the applicant for the post of Extra-Departmental MailCarrier on regular basis along with other candidates sponsored by the Employment Exchange and to allow the applicant to continue as Extra-Departmental Mail Carrier till regular appointment is made.

2. Shortly stated, the case of the applicant is that he was appointed as Extra-Departmental Mail Carrier at Avana within the district of Balasore. The competent authority is now taking steps to fill up the post on regular basis. The candidature of the applicant is not being taken into consideration as his name was not sponsored by the Employment Exchange. Hence, this application with the aforesaid prayer.

3. We have heard Mr. Deepak Misra, learned counsel for the applicant and Mr. A.B. Mishra, learned Senior Standing Counsel (Central) at some length. Since the applicant is already in service his name has not been sponsored by the Employment Exchange. We direct that the case of the applicant be also considered along with other candidates and suitability be adjudged and thereafter appointment order be issued in favour of the person who is found to be suitable by the competent authority. Till regular appointment is made the applicant is to continue as Extra-Departmental Mail Carrier, Avana if he is continuing as on to-day.

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

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Member (Judicial)

B.R.PATEL, VICE-CHAIRMAN,

I agree:



.....10.5.89.....

Vice-Chairman

Central Administrative Tribunal,
Cuttack Bench, Cuttack.
May 10, 1989/Sarangi.