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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH : CUTTACK.

Original Application No. 224 of 1989.

Date of decision : May 23, 1989.

AjayaKumar Sarangi, aged about 27 years,
son of Sri BalaramSarangi, VillageTanarapa
Sasani P.O.Biripati, District-Cuttack.

1.	Union of India, represented by its Secretary, Department of Posts, Dak Bhavan, New Delhi.	... Applicant.
2.	Postmaster General,Orissa Circle, At/P.O.Bhubaneswar, District-Puri.	Versus
3.	Senior Superintendent of Post Offices, Cuttack City Division, Cuttack-753001	
4.	Sub-Divisional Inspector (Postal), Cuttack North Sub-Division, Madhupatna, Cuttack 753010.	

For the applicant ...	M/s.Deepak Misra, R.N.Naik,A.Deo, B.S.Tripathy, Advocates.	... Respondents.
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 ? No
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 for a direction to the respondents to consider the candidature of the applicant for appointment to the post of Extra-Departmental Mail Carrier cum Extra-Departmental Messenger of Biripati Sub-Post Office along with other candidates sponsored by the Employment Exchange and to direct the respondents to allow the applicant to continue as Extra-Departmental Mail Carrier cum Extra-Departmental Messenger of the said Post Office till regular appointment is made.

2. Shortly stated, the case of the applicant is that initially he was appointed by the Postal Department as contingent waterman in the Biripati Sub Post Office. In course of time the applicant was promoted to the post of Extra-Departmental Mail Carrier cum Extra-Departmental Messenger (hereinafter to be referred to as E.D.M.C.cumE.D.M) on a temporary stop gap arrangement till regular appointment is made. The competent authority has called for applications from the Employment Exchange to fill up the post of E.D.M.C.cum E.D.M. on regular basis and it is stated that the name of the applicant has not been sponsored because he is already in service. Hence, this application with the aforesaid prayer.

3. We have heard Mr. R.N. Naik, learned counsel for the applicant and Mr. A.B. Mishra, learned Senior Standing Counsel (Central) at some length. After giving our anxious consideration to the arguments advanced at the Bar we would direct the case of the applicant be considered along with other eligible candidates either sponsored by the Employment

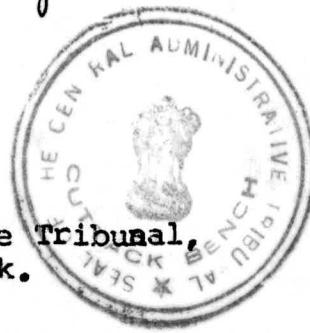
Exchange or applications received from the open market. After adjudication of the suitability of the candidates regular appointment should be made in favour of the person who is found to be suitable. At the time of regular appointment Annexure-2 may be considered by the competent authority. Till regular appointment is made, the applicant should continue as Extra-Departmental Mail Carrier-cum-Extra-Departmental Messenger of Biribati Sub Post Office, if he is on duty.

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

..... 23.5.89.
Member (Judicial)

B.R.PATEL, VICE-CHAIRMAN,

9 agree.



Central Administrative Tribunal,
Cuttack Bench, Cuttack.
May 23, 1989/Sarangi.

..... 23.5.89.
Vice-Chairman