

(4)

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

Original Application No. 356 of 1989

Date of decision: 31st August, 1989.

Ajaya Kumar Sarangi, aged about 27 years,
S/o Balaram Sarangi, Village Tanarapa
Sasan, P.O. Biribati, District-Cuttack.

..... APPLICANT

-Versus-

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

..... RESPONDENTS.

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

For the Respondents Mr. Ganeswar Rath,
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. N. SEN GUPTA, MEMBER (JUDICIAL)

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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.
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:- J U D G M E N T :-

AN GUPTA, MEMBER (JUDICIAL)

Though this matter has been listed for admission, with the consent of the Counsels for the parties the matter is being heard and finally decided.

2. Previously, the present applicant had filed O.A.No.224/89 in which he prayed for the relief of considering his case for, and regularising his, appointment to the post of Extra Departmental Mail Carrier cum Extra-Departmental Messenger of Biribati Sub-Post Office, Original Application No.224/89 was decided by this Bench by it's judgement dated 23.5.89 and this Tribunal directed that till regular appointment is made, the applicant should continue as Extra Departmental Mail Carrer cum Extra Departmental Messenger of Biribati Sub-Post Office, if he is continuing. Subquent to that, the Subdivisional Inspector (Postal) Cuttack North has passed an order, copy of which is Annexure-2 to the present Petition. By this order the said Sub-Divisional Inspector (Postal) has directed provisional appointment of the petitioner to the post of Extra Departmental Mail Carrer-cum-Extra Department Messenger, Biribati Sub-Post Office till a regular appointment is made or up to 31st August, 1989, which-ever is earlier.

3. On hearing the Counsels i.e. Sri Ganeswar Rath, and Sri A. Do we have absolutely no hesitation in saying that the second part i.e. the appointment to terminate to-day, 31.8.89, runs directly ~~the~~ **C**ounter to the direction given in the earlier Original Application No.224/89. Therefore, this part of the order can not be sustained. Accordingly, that part of the order which relates to termination of appointment

As per Gupta
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of the applicant on 31st August, 1989 is quashed. In other words, if he is continuing, is to continue till a regular appointment is made. No order as to costs.

M. S. M.
31.8.89.
MEMBER (JUDICIAL)

B.R.PATEL, VICE-CHAIRMAN

I agree



B. R. Patel
31.8.89
VICE-CHAIRMAN

Central Administrative Tribunal
Cuttack Bench, Cuttack
31st August, 1989/Mohapatra