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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

O.A. NO. 383 OF 1989.

Date of decision - November 29, 1989.

Harihar Mahala,
Son of Sidheswar Mahanla,
At/P.O.Odasingh, Via-Rameswar,
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. Superintendent of Post Offices,
Cuttack South Division,
At/P.O./District-Cuttack.
4. Sub-Divisional Inspector (Postal)
Central Sub-Division, At/P.O./District-
Cuttack.

... .. Respondents

For Applicant - Mr. U.S. Agarwal

For Respondents - Mr. A.K. Mishra,
Standing Counsel (Central)

C O R A M :

THE HONOURABLE MR. B.R. PATEL, VICE- CHAIRMAN

A N D

THE HONOURABLE MR. N. SEN GUPTA, 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.

J U D G M E N T.

B.R. PATEL, VICE- CHAIRMAN.

The facts briefly stated are that a vacancy arose in the post of Extra-Departmental Delivery Agent (E.D.D.A.) in Odasingha Branch Post office in the district of Cuttack due to the death of one Sk. Rahat Ali, the incumbent to the post on 1.2.88. Interim arrangement for managing the work was made by appointing one Sukanta Chandra Panda provisionally to the post. Thereafter the Department requested the Employment Exchange to sponsore names of eligible candidates. The Employment Exchange sponsored the names, but the name of Sukanta Chandra Panda who had been provisionally appointed to the post was not recommended which made Sukanta Panda ^h ~~to~~ seek intervention of the Tribunal in O.A.No.116 of 1989. This Bench disposed of the case on 1.8.89 directing the department to consider the case of Sukanta Chandra Panda along with the cases of ^h ~~the~~ other eligible candidates. There was some delay in implementing the order of the Tribunal as a copy of the order was not supplied to the Senior Superintendent of Post Offices. In the meantime, the applicant had been provisionally selected for the post and he was asked to furnish the necessary documents. On receipt of a copy of the order of this Bench in O.A. No.116 of 1989, the Superintendent of Post Offices directed the Sub-Divisional Inspector (Postal), Cuttack Central Sub-Division (respondent No.4) to cancel the provisional selection of the applicant and to make a fresh selection, from amongst the eligible candidates and Sri Sukanta Panda in terms of the order of the Bench in the said original application.

2. We have heard Mr. U.S. Agarwal, learned counsel for the applicant and Mr. A.K. Mishra, learned Standing Counsel for the Central Government and perused the relevant papers. Mr. Agarwal

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maintains that the case of the applicant had not been considered before Sri Sukanta Panda was selected and posted on regular basis. Mr. Mishra drew our attention to Annexures-R/5,R/6 and R/8 a perusal of which leaves no scope for any doubt that in fact the case of the applicant was considered along with the ^{cases of} other eligible candidates including Sri Panda. In this view of the matter, we find no merit in the application which is accordingly dismissed. Parties to bear their own costs.



Ran Mohan
.....
VICE - CHAIRMAN.

N. SEN GUPTA, MEMBER (JUDICIAL) .

I agree.

N. Sen Gupta
29/11/89
.....
MEMBER (JUDICIAL)

Central Administrative Tribunal,
Cuttack Bench, Cuttack,
The 29th November, 1989/Jena, SrPA.