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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 286 of 1991

Date of Decision: 20.1.1993

Manoranjan Pati

Applicant

Versus

Union of India & Others

Respondents

For the applicant

M/s. D.P. Dhalasamant,
A. Kanungo,
Advocates

For the respondents

Mr. Aswini Kumar Mishra,
Standing Counsel
(Central Government)

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C O RAM:

THE HONOURABLE MR. K. P. ACHARYA, VICE-CHAIRMAN

AND

THE HONOURABLE MR. S. R. ADIGE, MEMBER (ADMINISTRATIVE)

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1. Whether the reporters of local newspapers may be allowed to see the judgment ? Yes
2. To be referred to reporters or not ? NO
3. Whether Their Lordships wish to see the fair copy of the judgment ? Yes

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JUDGMENT

MR.K.P.ACHARYA, VICE-CHAIRMAN, In this application under Section 19 of the Administrative Tribunals Act, 1985, the petitioner prays for a direction to be issued to the opposite parties to appoint the petitioner as Extra Departmental Mail Carrier in Sikharpur Branch Post Office after quashing order of appointment issued in favour of Opposite Party No. 4.

3. Shortly stated the case of the petitioner is that he (petitioner) along with others including Opposite Party No.4 had applied for the post of E.D.M.C., Sikharpur Post Office. The appointing authority considered the case of all the applicants without complying with the provisions of law and illegally ordered appointment of O.P. No.4 - which is under challenge and sought to be quashed. Hence it is prayed that the petitioner should be appointed.

3. In their counter the opposite parties maintain that rules and regulations on the subject have been fully complied with and there being no violation of rules, appointment of O.P. No.4 is legal and it should be sustained. The case being devoid of merit is liable to be dismissed.

4. We have heard Mr.D.P.Dhalasamant, learned counsel for the petitioner and Mr.Aswini Kumar Mishra, learned Standing Counsel appearing for the opposite parties. We have perused the pleadings of the parties and the relevant records. We find no illegality to have been committed by the competent authority in appointing OP No.4. Therefore, appointment of OP No.4 is hereby sustained. At the same time we would commend to the concerned authority that if it is possible an appointment be given to the petitioner in any other post office. Thus the the application is accordingly disposed of. No cost.



MEMBER (ADMINISTRATIVE)

C.A.T. CUTTACK
20.1.93/BK Sahoo

20.1.93
VICE-CHAIRMAN