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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK

Original Application No. 134 of 1992

Date of Decision 23. 4. 1992

Bhagabat Behera Applicant

Versus

Union of India & Others Respondents

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

For the respondents Mr. A. K. Mishra  
Standing Counsel  
(Central Government)

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C O R A M

HON'BLE MR. K. P. ACHARYA, VICE-CHAIRMAN

AND

HON'BLE MR. C. S. PANDEY, MEMBER (ADMINISTRATIVE)

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

JUDGMENT

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K.P. ACHARYA, VICE-CHAIRMAN, In this application under Section 19 of the Administrative Tribunals Act, 1985, the petitioner prays for a direction to the respondents to give him an appointment keeping in view the previous posting and experience gained by the petitioner.

2. Shortly stated the case of the petitioner is that he was appointed as Extra Departmental Night Watchman on 22.3.1984 in Alba Sub Post Office within Kendrapara Head Office. Appointment of the petitioner was against a regular incumbent who was placed under suspension and some time thereafter the original incumbent having been restored to the post in question, Consequently the services of the petitioner has been dispensed with effect from 11.1.1990. Prayer of the petitioner, as indicated above, is for appointment to any post of Extra Departmental Delivery Agent in any other post office.

3. We have heard Mr. R.N. Naik, learned counsel for the petitioner and Mr. A.K. Mishra, learned Standing Counsel for the Central Government on the merits of the case.

3. In paragraph 4(e) of the petition, the petitioner has stated that there are vacant posts of Extra Departmental Delivery Agent/M.C in Namauza S.O., Sitaleswar (Aul SO), Penthapal (Dandisahi SO) and Sanamanga (Batipara S.O.).

4. Rightly sufficient time was not available to Mr. A.K. Mishra, learned Standing Counsel to take necessary instructions. However we would comment to the Chief Post Master General, Orissa Circle, Bhubaneswar and to the

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Superintendent of Post Offices, Cuttack North Division to consider the case of the petitioner sympathetically keeping in view that he has served long period of six years under the Postal Department and therefore the petitioner should be adjusted in someother post, preferably against the post mentioned in para 4(a) of the petition.

5. We hope and trust that the Chief Post Master General and the Superintendent of Post Offices would take a sympathetic view in the matter.

6. Thus the application is accordingly disposed of leaving the parties to bear their own costs.

*Ghandey*  
MEMBER (ADMINISTRATIVE)

*23.4.92*  
VICE-CHAIRMAN

Central Administrative Tribunal  
Cuttack Bench, Cuttack  
dated the 23rd April/1992/Sahoo

