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CENTRAL ADMINISTRATIVE TRIBUNAL: CUTTACK BENCH: CUTTACK.

Original Application No. 312 of 1992.

Date of decision :- 16th July, 1992.

Bharat Kumar Sahu ... Applicant.

Versus,

Union of India & Ors. ... Respondents.

For the Applicant:- M/s. Devanand Misra,  
Deepak Misra,  
A. Deo, D.K. Sahu, Advocates.

For the Respondents:- Mr. A.K. Misra,  
Senior Standing Counsel.

C O R A M :

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

A N D

THE HONOURABLE MR. M. Y. PRIOLKAR, MEMBER (ADMINISTRATIVE

.....

1. Whether reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ? *No*
3. Whether Their Lordships wish to see the fair copy of the Judgment ?

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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 the Opp. Parties to consider the case of the petitioner for regular selection to the post of E.D.B.P.M., Chhadesh Branch Office within the the district of Cuttack.

2. Shortly, stated the case of the petitioner is that he was appointed as E.D.B.P.M. in respect of the Chhadesh Post Office vide Annexure-2 dtd. 10.6.92 with effect from 12th February, 1991 to 10th June, 1992 with a stipulation that the petitioner will continue either <sup>h.l.l</sup> 10.6.91 or till regular appointment is made. The petitioner came with this application apprehending that his services will <sup>be</sup> terminated. Hence we have issued notice to the Superintendent, North Division, Postal Department, Cuttack asking him to personally attend the court so that he could appraise us <sup>on</sup> the questions of fact, and hence the case could be speedily disposed of. The Superintendent <sup>is</sup> present to-day. The Superintendent of Post Offices tells us that the selection process <sup>has</sup> already started and appropriate authority has terminated the service of the petitioner because of the stipulation that he <sup>has to</sup> rendered services till 10.6.92.

3. After hearing Mr. Deepak Misra, learned counsel for the petitioner and Mr. A.K. Misra, learned standing counsel, we <sup>do not</sup> appreciate the action taken by the

appropriate authority in the Postal Department terminating the service of the petitioner because there is further stipulation in Annexure-2 that the petitioner will continue till 10.6.92 or till regular appointment is made. Admittedly the regular appointment has not yet been made. Therefore termination is hereby quashed. We would direct that selection process would be expedited and incase the petitioner makes an application his case should be considered. We hope and trust the selection process will be completed within sixty days from the date of receipt of a copy of this judgment. The petitioner would continue till the new appointee joins. Thus the application is disposed of accordingly.

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..... MEMBER (ADMINISTRATIVE)

Legazpi  
16-7-92

Central Administrative Tribunal,  
Cuttack Bench Cuttack/Hossain.

