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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK

ORIGINAL APPLICATION NO: 609 OF 1992

DATE OF DECISION: July 26, 1993

Shri Subash Chandra Dash .. Applicant  
Versus  
Union of India and others .. Respondents

(For instructions)

1. Whether it be referred to the reporters or not? AND
2. Whether it be circulated to all the Benches of AND the Central Administrative Tribunals or not?

1.541  
(H. RAJENDRA PRASAD)  
MEMBER (ADMINISTRATIVE)

26.7.93

K. P. ACHARYA 26.7.93  
(K. P. ACHARYA)  
VICE CHAIRMAN

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-Versus-

Union of India and others ... Respondents

For the Applicant : M/s P.V.Ramdas, M.B.K.Rao,  
P.V.Balakrishna,  
Advocates.

For the Respondents : Mr. Ashok Misra, Senior Standing  
Counsel (Central).

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CORAM:

THE HONOURABLE MR. K.P.ACHARYA, VICE CHAIRMAN  
A N D  
THE HONOURABLE MR. H.RAJENDRA PRASAD (MEMBER ADMN.)

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JUDGMENT

K.P.ACHARYA, V.C.

In this application under section 19 of the administrative tribunals Act, 1985, the petitioner prays for a direction to the Supdt. of Post Offices, Cuttack North Division to regularise the services of the petitioner against <sup>a</sup> the Group 'D' Post.

2. Shortly stated the case of the petitioner is that the petitioner has been working as substitute in various capacities in Dharmasala Sub-Post Office since 1985. As yet the services of the petitioner has not been regularised. Hence this application has been filed with the aforesaid prayer.

2. In their counter, the Opposite Parties maintained that since the petitioner is working merely as a substitute, the question of regularisation does not arise.

3. We have heard Mr. P. V. Balakrishna, learned counsel for the petitioner and Mr. Ashok Misra, learned Senior Standing Counsel (Central). Question of regularisation does not arise despite the fact that there was a strenuous argument advanced by Mr. Balakrishna. <sup>Rao</sup> We would only recommend to the Supdt. of Post Offices that the case of the petitioner should be considered in any other future vacancy and after adjudicating suitability, the suitable person may be appointed. We hope the experience gained by the petitioner will be given due weightage. In case the petitioner is continuing <sup>for</sup> some post, he may be allowed to continue till work is available.

4. Thus, the application is accordingly disposed of. No costs.

1.51.11.4  
MEMBER (ADMINISTRATIVE)

26.7.93

*lega* *26-7-93*  
VICE CHAIRMAN

Central Administrative Tribunal,  
Cuttack Bench, Cuttack/<sup>Mc</sup> Mohanty/  
July 26, 1993.

