

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

O.A. No. 9 OF 1993

Date of decision: August 3, 1993

Pramod Kumar Brahma ... Applicant

-Versus-

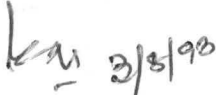
Union of India & Ors. ... Respondents

(FOR INSTRUCTIONS)

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


(H. RAJENDRA PRASAD)
MEMBER (ADMINISTRATIVE)

03 Aug 93


(K. P. ACHARYA)
VICE-CHAIRMAN

3

(10)

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

ORIGINAL APPLICATION NO: 9 OF 1992

Date of decision: 3.8.1993

Pranod Kumar Brahma ... Applicant

-Versus-

Union of Indka and Others ... Respondents

For the Applicant : Mr. J. N. Jethi, Advocate

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

CORAM:-

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

AND

THE HONOURABLE MR. H. RAJENDRA PRASAD, MEMBER (ADMIN)

JUDGMENT

K. P. ACHARYA, V.C.

The petitioner was appointed temporarily on a regular selection to the post of Extra Departmental Branch Postmaster at Harisinghpur Branch Post Office in account with Kanakpur Sub Office under the Jagatsinghpur Head Office. This appointment was made against a regular vacancy which occurred due to death of one Sudharkar Mohanty. Petitioner worked ~~for~~ ^{from} 9.4.1992 to 22nd January, 1993. Petitioner had to vacate the post, in question, because the Chief Postmaster General took a compassionate view over the daughter of Sudharkar namely ~~Kant.~~ Bishnupriya Mohanty and

since Kum. Bishnupriya Mohanty joined the post in question consequently, the petitioner Shri P.K. Brahma vacated the post in question. Though the prayer of the petitioner is otherwise but in compliance with the interim order passed in 12th January, 1993, the petitioner Shri Brhma has filed a representation before ~~the Chief~~ Postmaster General praying before him to give him an appointment in some other E.D.D. As post. Intentionally the petitioner does not pray for the post of E.D.B.P.M. because several other formalities have to be followed and perhaps the petitioner would not be entitled to such a post elsewhere because he does not belong to the post village. Since the Petitioner has now sought for an appointment in a lower grade and had worked for a good bit of time and the petitioner had sincerely hoped that his temporary appointment would be regularised after his performance is watched by his authority, we feel that this is a fit case in which the Chief Postmaster ^{General} should take a sympathetic view and it was told to us that one E.D.A. post is vacant in Harisinghpur Post office and Tentulipada. In all fitness of things, the Chief Postmaster General may consider in giving a direction for appointment of the petitioner to any one of the posts mentioned above in either of the post offices.

3. This order is passed after hearing Mr. J.N. Jethi learned counsel for the petitioner and Mr. Ashok Misra learned Senior Standing Counsel (Counsel).

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

.....
MEMBER (ADMINISTRATIVE)

3/8/93

.....
VICE-CHAIRMAN

Central Administrative Tribunal,
Cuttack Bench, Cuttack/K. Mohanty/
3.8.93.