

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK.

ORIGINAL APPLICATION NO. 679 OF 1999

Cuttack, this the 18th day of April, 2000.

DHANESWAR DAS.

....

APPLICANT.

VRS.

UNION OF INDIA & ORS.

....

RESPONDENTS.

FOR INSTRUCTIONS

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

18-4-2000
(G.NARASIMHAM)
MEMBER (JUDICIAL)

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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK.

ORIGINAL APPLICATION NO. 679 OF 1999

Cuttack, this the 18th day of April, 2000.

CORAM:

THE HONOURABLE MR. G.NARASIMHAM, MEMBER (JUDICIAL).

..

Shri Dhaneswar Das,
Aged about 28 years,
S/o Bimbadhar Das,
At-Ganjam Colony,
Sunesbeda-1, Dist.Koraput.

... Applicant.

By legal practitioner: Mr.D.P.Dhalsamant, Advocate.

- Versus -

1. Union of India represented through its Director General of Posts, Ministry of Communications, Department of Posts, Dak Bhawan, New Delhi.
2. Chief Postmaster General, Orissa Circle, Bhubaneswar, Dist. Khurda.
3. Senior Superintendent of Post Offices, Koraput Circle, Koraput.
4. Assistant Superintendent of Post Offices, Koraput Sub-Division, Koraput-20.

... Respondents.

By legal practitioner: Mr. U.B. Mohapatra, Additional Standing Counsel (Central).

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O R D E R

MR. G.NARASIMHAM, MEMBER (JUDICIAL):

Applicant, Dhaneswar Das, admittedly served as ED Packer, Subabeda on provisional basis from 3.5.1995 to 28-2-1996 and again as ED Packer, Similiguda SO on provisional basis from 18.4.1996 to 5.7.1999. As per the departmental instructions, his name should be in the waiting list as

he had completed atleast morethan three years of continuous provisional service from 18.4.1996 to 5.7.1999. It also reveals from the pleadings that three posts of ED Agents are lying vacant and out of which for the post of E.D.D.A, Bhitaragada BO in account with Damanjedi SO and for the post of EDMC Banamalipur in account with Nandapur SO, the applicant represented for his adjustment.

In this application, the applicant prays for issue of a direction to the Respondents to adjust/appoint the applicant in any of the three existing vacancies lying under the Department.

2. In the counter filed by the Department, it has been submitted that the post of EDDA, Bhitaragada and EDMC, Banamalipur became vacant due to the deaths of the existing incumbents and the near relatives of the deceased persons have since applied for these posts under rehabilitation scheme and the same are pending for consideration at the higher level.

3. I have heard Mr. D.P. Dhalasamant, learned Counsel for the Applicant and Mr. U.B. Mohapatra, learned Additional Standing Counsel (Central) appearing for the Respondents and have also perused the records.

4. It is clear from the counter filed on 10th of March, 2000 that these two posts of EDDA, Bhitaragada and EDMC, Banamali are still vacant due to pendency of the applications for compassionate appointment at a higher level. Since the applicant had rendered morethan three years service on provisional basis and has studied upto class-X (Annexure-R/1)

the SLC certificate), I direct the Respondents to consider the case of the applicant for provisional appointment in any of the two posts till a decision is taken at the higher level in regard to the appointment under compassionate ground.

5. In the result, the Original Application is disposed of with the observations and directions made above.
No costs.

18.4.2007
(G. NARASIMHAM)
MEMBER (JUDICIAL)

KNM/CM.