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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH

O.A. No. 35 of 1995.

Date of decision 20.1.1999

Gopal Singh

.....Applicant.

Vs.

Union of India & others.

.....Respondents.

CORAM: HON'BLE MR. GOPAL KRISHNA, JUDICIAL MEMBER.
HON'BLE MR. N.K. VERMA, ADMINISTRATIVE MEMBER.

For the applicant - Mr. Kamal Dave, advocate.

ORDER (ORAL)

(Hon'ble Mr. Gopal Krishna, Judicial Member)

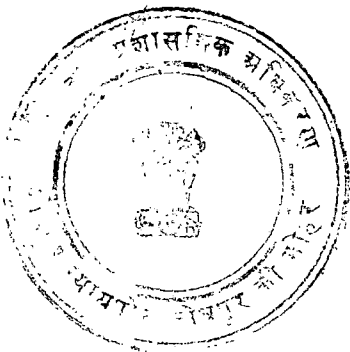
Applicant, Gopal Singh, in this Application

under Section 19 of the Administrative Tribunals Act, 1985, prays that the respondents may be directed to continue the applicant as EDMC Chamunderi, or, in the alternative they may be directed to consider his candidature on preferential basis for the post of EDMC, or, any selection made in pursuance of the list sponsored by the District Employment Exchange, Pali may be made subject to the decision of this O.A.

2. We have heard the learned counsel for the applicant and have carefully perused the records.

3. It is stated by the applicant that his father was working as EDMC at Chamunderi and he had handed over the charge of the post to him on 19.8.87 on account of his illness. However, due to continuous illness of his father the applicant performed all the duties of EDMC at Chamunderi. The applicant has annexed charge report Annexures A/1, A/2, A/3 and A/4 in support of his averments. It is borne out by the record that the applicant served merely as a substitute of his ailing father. Merely serving as a substitute on the responsibilities of his father, the applicant has not acquired any right to hold

C.Krishna the post. Since the applicant apprehends termination



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of his services, he may file a representation to the concerned authority in regard to his grievance and the learned counsel for the applicant, therefore, instead of pressing this Application on merits, wants to make a representation to the concerned authority and if the same is made by the applicant within a period of 15 days from the date of this order, it may be disposed of as per rules and instructions on the subject within a period of one month from the date of its receipt by the respondents

4. We find the present O.A. as being premature and subject to the directions given above, this Application is dismissed.

N.K. Verma

(N.K. VERMA)
ADMINISTRATIVE MEMBER

G. Krishna

(GOPAL KRISHNA)
JUDICIAL MEMBER

'MS'

