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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JODHPUR BENCH, JODHPUR.

O.A.No. 355/95.

Date of Order : 25.9.1995.

Manga Ram

...

Applicant.

Versus

Union of India
& others

...

Respondents.

Mr. D.C. Sharma

...

Counsel for the
Applicant.

CORAM :

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

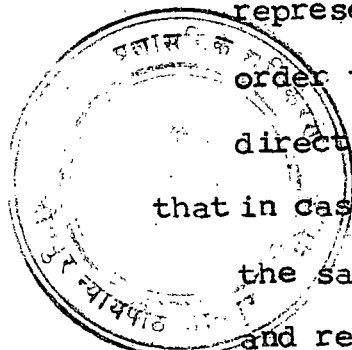
HON'BLE MS. USHA SEN, ADMINISTRATIVE MEMBER.

Per Hon'ble Ms. Usha Sen :

The applicant's grandfather, namely, Shri Nimba Ram was working as Extra Departmental Mail Carrier ('EDMC' for short) at Bheemthal and he died in harness in the year 1993. The respondents gave an appointment to the applicant as EDMC on a provisional basis vide the order dated 16.12.93 at Annexure A/1. The letter of appointment stated that the appointment was for the period, 1.12.93 to 29.2.94 or till a regular appointment was made, whichever was earlier.

2. The case of the applicant is, firstly, that his services have been terminated on 12.1.94 i.e., before 29.2.94 and also before a regular appointment was made to the post in contravention of the appointment letter at Annexure A/1. Secondly, he states that he should be given a regular appointment on compassionate grounds in terms of D.G., P & T letter dated 4th August, 1980 reproduced as decision No.5 in Section VI of Swamy's compilation of "SERVICE RULES FOR EXTRA-DEPARTMENTAL STAFF" (1987 edition).

Usha Sen



3. We find that the applicant had not made a proper representation to the respondents regarding his case. In the order to cut short legal process, we consider that a direction may be given to the respondents at this stage that in case the applicant makes a representation in this matter, the same should be considered in the light of the Rules and regulations and replied to by a speaking order with reasons for the decision taken within two months of the receipt of the representation. We hereby direct the respondents accordingly. With this direction the O.A. is disposed of at the admission stage. A copy of the O.A. may be sent to each of the respondents alongwith a copy of this order.

Usha Sen
(USHA SEN)
Member (A)

G. Krishna
(GOPAL KRISHNA)
Vice Chairman.

Part II and III destroyed
in my presence on 2/1/2001
under the supervision of
section officer () as per
order dated 4/9/2000

Section officer (Record)

copy of Judgment
at 25.9.95 & copy of
OA with Annexure sent
to R 1 to R 3 BY
Rajd Post videns
as 591/1058
date 4/10/95
ord 10.10.95

Received copy
for

4/10/95

C.D.R. Choudhary
for the Section