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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH: JODHPUR.**

Original Application No. 16/2006
With
Misc. Application No. 08/2006

Date of order: 07.02.2007

**HON'BLE MR. KULDIP SINGH, VICE CHAIRMAN
HON'BLE MR. R.R. BHANDARI, ADMINISTRATIVE MEMBER**

Bhagwat Singh son of Shri Bhanwar Lal Hajuri, age 35 years, R/o Village Dhamotari, District Chittorgarh; Late Shri Bhanwar Lal, Mail Overseer at Pratap Garh Post Office, District Chittorgarh.

...Applicant.

Mr. Vijay Mehta, counsel for the applicant.

VERSUS

1. Union of India through the Secretary, Ministry of Communication (Dept. of Posts), Sanchar Bhawan, New Delhi.
2. Chief Post Master General, Rajasthan Circle, Jaipur.
3. Post Master General, Southern Region, Ajmer.
4. Superintendent of Post Offices, Chittorgarh.

...Respondents.

Mr. Vinit Mathur & Mr. M. Godara, counsel for respondents.

**ORDER
(By Mr. Kuldip Singh, Vice Chairman)**

The applicant had filed this Original Application seeking appointment on compassionate grounds as his father expired in harness while working under the respondent-department. Lot of correspondence has been exchanged. The applicant was selected for the post of Group 'D' vide Annexure A/2 and the applicant was also allotted to Postal Stores Depot, Jaipur. However, the Superintendent, Postal Stores Depot, Jaipur informed the applicant that since the post under him is reserved for ST category, he cannot be accepted in that office. Thereafter, applicant submitted several representations for joining his duties. The respondent-department informed the applicant

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that his name has been kept in waiting list and as and when his turn comes, he will be given appointment. On 17.09.2004 (Annexure A/1), the respondent-department had issued a letter to the applicant informing him that he cannot be given appointment in the post of group 'D' post but certain posts of GDS MC are lying vacant in different divisions, seven in number, and as such he was asked to give his three preferences of places so that his case may be considered for appointment at one of such places. In reply to the same, the applicant had submitted letter dated 25.09.2004 vide Annexure A/10 to the respondent-department giving his preference for three places namely Ranikheda, Kannoj and Gadola and again a reminder dated 16.09.2005 (Annexure A/12) giving the same preference but thereafter nothing has been heard from the respondent-department.

2. Learned counsel for the respondents pointed out that the preferences exercised by the applicant on 24th September 2004 could not be acted upon as the Scheme for giving offer to the wait listed candidates on the post of GDS was no longer in existence and the same has expired on 24th July 2003.

3. It is seen that the applicant was asked to submit his preference for three places vide letter dated 17.09.2004 (Annexure A/1) informing that he is likely to be given appointment against the vacant posts of GDS. On the other hand, the respondents' stand is that the scheme for giving offer to the wait listed candidates on the post of GDS was not in existence as the same had expired on 24th July 2003. However, no order for compassionate appointment in favour of the applicant against the post of GDS has been passed so far. We think that it would be in the fitness of things to direct the respondents to

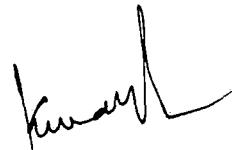
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pass a speaking and reasoned order on the willingness of the applicant as he has applied in pursuance of letter written by the respondent themselves vide Annexure A/1. Ordered accordingly. This exercise should be completed within a period of three months from today and in this case the applicant was first selected in 1992 and as an alternative he was asked to give three choices of stations and if post is still available, the applicant may be offered appointment. The Original Application stands disposed of accordingly.



(R R BHANDARI)
ADMINISTRATIVE MEMBER



(KULDIP SINGH)
VICE CHAIRMAN

Kumawat

कें.प्र.श. (प्रिया) निधानादली के नियम 22 के अन्तर्गत विः शुल्क प्रति

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, RAJ.HIGH COURT CAMPUS
JODHPUR.

COPY OF ORDER DATED 04.10.2007 PASSED IN
MA No.149/2007 IN MA NO.148/2007 IN ORIGINAL APPLICATION—
NO.16/2006.

APPLICANT

U.O.I. & Ors.

Vs.

RESPONDENTS

BHAGWAT SINGH & ORS.

4.10.2007.

Mr. Mahendra Godara Advocate holding brief of

Mr. Vineet Mathur, Advocate counsel for the UOI and Ors.

Application be registered. For detailed order see our order passed
on date in MA No.148/2007(in OA No.16/2006).

Sd/-

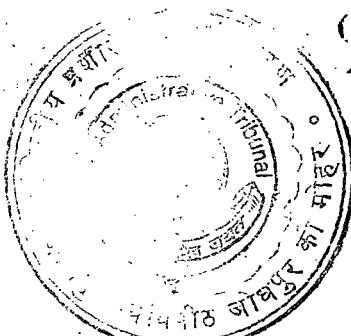
(R.R.Bhandari)

Adm. Member

Sd/-

(A.K. Yog)

Judicial Member



CONFIRMED
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CERTIFIED TRUE COPY
Dated 09-10-2007

अधिकारी दस्तावेज़ (अधीकरी)
Secretary (Admin.) (Jud.)
केन्द्रीय नियम 22 के अन्तर्गत
Central Administrative Tribunal
जोधपुर सारकोट, जोधपुर
Jodhpur Bench, Jodhpur.