

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

**Original Application No.290/00023/2014
with
Misc. Application No.290/00306/2014**

Jodhpur, this the 29th day of January, 2016

CORAM

**Hon'ble Dr. K.B. Suresh, Judicial Member
Hon'ble Ms. Praveen Mahajan, Administrative Member**

Badri Lal Mali S/o Shri Lalu Ram, aged about 56 years, R/o village and Post Nandsa (K), Tehsil Sahada via Gangapur, District Bhilwara, Raj. Presently working on the post of GDS BPM at Village & Post Nandsa (K) via Gangapur, District Bhilwara, Rajasthan.

.....Applicant

Mr. S.K. Malik, counsel for applicant.

Versus

1. Union of India through the Secretary, Ministry of Communication, Department of Posts, Dak Bhawan, New Delhi.
2. The Superintendent of Post Offices Bhilwara Division, Bhilwara.
3. The Assistant Superintendent of Post Offices (W), Sub Division, Bhilwara.

.....respondents


Mr. K.S. Yadav, counsel for respondents.

ORDER (Oral)

Heard. The matter relates to GDS Messenger, who was appointed in the year 1979 till the GDS BPM retired in 2002 when he was given the charge of GDS BPM. Apparently, the applicant is continuing without any break till now. He has only few more years to go to his retirement. It is to be noted, in this connection that the service conditions of the GDS BPM are not that pleasant, if he is not regularized even after 37 years of service it will be a travesty of

regardless of GDS BPM Selection Rules, applicant must be in the interest of natural justice and in the interest of the local populations, whom he had served, must be regularized immediately. We declare that the applicant is capable for being regularized as GDS BPM at Nandsa (K) Via Gangapur, District Bhilwara within two months next and if at all the benefits are to given to him it will be extended to him within that date. The employment notice, so far as relates to applicant's position, is hereby quashed. Further, the matter seems to be covered by the earlier order of this Tribunal as well, which was confirmed by the Hon'ble High Court of Rajasthan in DB Civil Writ Petition No.9739/2014 (Union of India vs. Nathu Lal Charan).

The OA is thus allowed as stated above. Accordingly, the MA No.306/2014 is also disposed of. No order as to costs.


[Ms. Praveen Mahajan]
Administrative Member


[Dr. K.B. Suresh]
Judicial Member