

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

No. O.A. 611 of 97

Date of Order : 9.1.98

Present : HON'BLE DR. B.C. SARMA, MEMBER (A)

HON'BLE MR. D. PURKAYASTHA, MEMBER (J)

Sri Ashok Chakraborty

-versus-

Union of India & Ors.

For applicant(s) : Mr. S.K. Mitra, counsel.

For respondents : Mr. S.P. Kar, counsel.

O R D E R

B.C. Sarma, AM

In this application the applicant contends that he had appeared in the interview alongwith others for the post of EDDA at Sardiha Railway Station Colony in the Midnapore District. The applicant became successful. The applicant further contends that the appointment letter was sent to him by registered post. Since the said registered letter was in a torn condition, the delivery man (peon) refused to deliver the same to him. According to the contention of the applicant that unsuccessful candidates had resorted to agitation and even they had beaten up the Inspector of Post Offices, Kharagpur, as a result of that, the Sardiha Station Colony Post Office was not opened and the applicant did not get any opportunity of being appointed as EDDA in the said post office. The applicant also contends that a Branch Post Office is going to be opened shortly and therefore, he has prayed for direction and commanding the respondents/ subordinates to open the proposed branch post office at Sardiha Railway Station Colony in the Midnapore District and also issue appointment letter to him as per the selection held earlier.



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2. Mr. Kar, Id. counsel for the respondents, however, prays for time to file a reply.

3. We have heard the Id. counsel for both the parties, perusing records and considered the facts and circumstances of this case. The applicant has raised a simple prayer regarding his appointment and, therefore, we are of the view that the application can be disposed of even adjourning it in order to enable the respondents to file a reply. We have carefully considered the facts and circumstances of the case. We find that the first prayer of the applicant is to issue direction upon the respondents to open a Branch Post Office at Sardiha Station Colony. But this Tribunal does not have any jurisdiction to issue such direction. And the second prayer of the applicant is to issue appointment letter to him by the respondents. We are of the opinion that the applicant has been selected for the post of EDDA in the Sardiha Station Colony Post Office which was going to be opened by the Postal Department. But due to some agitation by the unsuccessful candidates the same does not open. However, we also find a Branch Post Office at Sardiha Railway Station Colony is going to open shortly. Therefore, we direct the respondents to consider the case of the applicant ^{for} giving him appointment letter as contended.

4. In the light of the observation, the application is disposed of at the stage of admission hearing without passing any order. Plain copy of the order be handed over to the Id. counsel for both the parties.



(D. Purkayastha)
M e m b e r (J)



(B.C. Sarma)
M e m b e r (A)