

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

DATED TUESDAY, THE THIRTIETH DAY OF MAY ONE
THOUSAND NINE HUNDRED AND EIGHTY NINE

PRESENT

HON'BLE SHRI S.P.MUKERJI, VICE CHAIRMAN

&

HON'BLE SHRI G.S.SHARMA, JUDICIAL MEMBER

ORIGINAL APPLICATION NO.132/89

T.V.Bhupesh Kumar - Applicant

Vs

1. The Senior Superintendent of
Post Office, Palghat Division,
Palghat.
2. The Sub Divisional Inspector,
Palghat North, Palghat.
3. C.M.Gangadharan,
S/o C.Madhavan Nair, EDDA,
Dhoni, Palghat. - Respondents

M/s M.P.Krishnan Nair,
M.Rajeswary, R.K.Muraleedharan - Counsel for the
and K.Praveenkumar applicant

O_R_D_E_R

(SHRI S.P.MUKERJI, VICE CHAIRMAN)

Heard the learned counsel for both the parties
and gone through the documents carefully.

2. In this application, the applicant has prayed
that he may be regularised as E.D.O.A. ~~where~~ ^{to which}
post admittedly he was appointed on a provisional basis.

His appointment was necessitated by the fact that the

regular appointee had been removed from service as a result of disciplinary proceedings but later in revision, he was reinstated. On reinstatement, the applicant has to be replaced by the regular appointee.

3. The learned counsel for the applicant indicated that the applicant had been appointed on a provisional basis and that there was no written order of appointment and that there was no assurance ~~of~~ oral or in writing that he will be regularised.

4. In the circumstances, we find that the applicant has not established any right of regular appointment to the post, ~~and~~ the application having no merit is rejected under Section 19(3) of the Administrative Tribunals Act.

G.S. Sharma
(G.S.SHARMA)
JUDICIAL MEMBER

S.P. Mukerji
(S.P.MUKERJI)
VICE CHAIRMAN

30-5-1989

trs