

**THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH**

Original Application No.301/2006.
This the 12th day of July 2006.

**HON'BLE MR. JUSTICE KHEM KARAN, VICE-CHAIRMAN,
HON'BLE MR. P.K. CHATTERJI, MEMBER (A).**

Vinod Kumar Yadav, aged about 26 years, Son of Shri Siya Ram Yadav, resident of Village Biblapur Post Rajaull District Lucknow at present working as Substitute G.D.S.M.P. Razaull, District Lucknow.

...Applicant.

By Advocate: Shri R.P. Verma.

Versus.

1. Union of India through Chief Post Master General, U.P. Circle, Lucknow.
2. Senior Superintendent of Post Offices, Lucknow.
3. Assistant Superintendent of Post Offices, Lucknow (North).

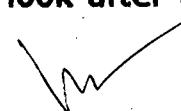
.... Respondents.

By Advocate: Shri S.P. Tripathi.

ORDER (Oral)

BY HON'BLE MR. JUSTICE KHEM KARAN, VICE-CHAIRMAN.

1. Heard Shri R.P. Verma, the learned counsel for the applicant on this O.A. Also perused the contents of the petition and the papers annexed with it.
2. The case of the applicant is that he was posted as substitute G.D.S.M.P. in Sub Post Office, Razaull to look after the functioning of



Shri M.C. Yadav and now by the Impugned order dated 22.06.2006, he has been removed from service. The Learned counsel for applicant has tried to say that after having worked for the period of 18 months the applicant could not have been discontinued in this way especially when the post is still lying vacant.

3. It is never the case of the applicant that he was regularly selected for the post in accordance with rules. One who has not been selected and posted in accordance with rules regulating the recruitment ^{and} ~~an~~ the conditions of service, cannot have a right to hold the post and if the applicant has no right to hold the post this Tribunal is not in a position to help in the matter. The O.A. is dismissed as not admitted. No costs.



(P.K. CHATTERJI)

MEMBER (A)



(KHEM KARAN)

VICE-CHAIRMAN

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