

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

LUCKNOW BENCH, LUCKNOW.

ORIGINAL APPLICATION NO. 271 of 1992.

this the 9th day of August '99.

HON'BLE MR D.C. VERMA, MEMBER(J)

HON'BLE MR A.K.MISRA, MEMBER(A)

Jagat Narain Singh, aged about 32 years S/o Indrapal Singh, Resident of Village & Post Garhi Chinauti District Lucknow.

Applicant.

By Advocate: None.

Versus.

Union of India through the Post Master General, Hazratganj, Lucknow.

2. Senior Superintendent of Post Offices, Lucknow Division, Lucknow.

3. District Employment Officer, Charbagh, Lucknow.

Respondents.

By Advocate: Dr.D. Chandra.

O R D E R (O R A L)

D.C. VERMA, MEMBER(J)

By this O.A., the applicant-Jagat Narain Singh, has prayed for a direction in the nature of mandamus commanding the Opp. Party No.2 to consider the name of the applicant for the post of Branch Post Master (in short BPM) in Village Garhi Chinauti, District Lucknow. A further prayer is that to direct the respondent No.3 i.e. District Employment Officer, Lucknow to send the name of the applicant for the said post.

2. The brief facts of the case ^{are} ~~is~~ that one post of BPM in Village Garhi Chinauti, District Lucknow fell vacant. The names were asked from the Employment Exchange. Certain names were sponsored by the respondent No.3, but the name

(Signature)

of the applicant was not sponsored by the Employment Exchange. The applicant has, in the circumstances, prayed for the relief claimed in the O.A.

3. The learned counsel for the respondents has submitted that the name of the applicant was not sponsored by the Employment Exchange nor the applicant had applied for the said post directly. It has been claimed that the name of the applicant was registered with the Employment Exchange vide Annexure-2 to the O.A., But Annexure-2 shows that the name of one Krishan Gopal Singh has been shown; whereas the name of the applicant is Jagat Narain Singh. This fact was pointed-out by the respondents in para 10 of the Counter. No Rejoinder to the Counter filed by the respondents, has been filed till date. Consequently, the only inference is that the name of the applicant was not registered with the Employment Exchange. As the applicant had even applied directly for the said post before the competent authority, no direction for consideration for the said post can be given to the respondents. The claim of the applicant is that he worked as BPM has also been denied by the respondents. The last date, as per the O.A. itself, for sending the names was 14.6.92. If the name of the applicant was not sent within the said period, his claim could not be considered by the respondents. It is not the case of the applicant that the applicant had sent an application before the competent authority for consideration for the said post and had applied therefor within the date prescribed i.e. 14.6.92. In view thereof, there is no merit in the O.A. and the same is dismissed. No costs.

MEMBER (A)

Lucknow:Dated:9.8.99.

MEMBER (J)