

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW

C.A. No. 479/92

(A.S)

Dinesh Kumar Singh ::::::: Applicant

vs.

Union of India &
Others. ::::::: Respondents

Hon. Mr. Justice U.C. Srivastava, V.C.

Hon. Mr. K. Obayya, A.M.

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

One Shri Kedar Nath Shukla, Extra Departmental Branch Post Master, Kukaharampur, Rei Bareily District, was put off from duty on 25/5/89 pending finalisation of disciplinary proceedings. The applicant who applied for provisional appointment was appointed on 4-4-91 in his place till the disciplinary proceedings against the said Shri Kedar Nath Shukla were not disposed off. He was dismissed from service vide order dated 31-7-89, but his appeal was allowed by the Director of Postal Services vide order dated 30/3/92 and he was reinstated back in service, with the result the applicant's services were put an end to and he handed-over the charge to the said Shri Shukla on 12/5/92. The said Shri Kedar Nath Shukla, on attaining the age of superannuation retired on 29/8/92. In the mean time the applicant submitted his application for appointment to the post of Extra Deparrmental Branch Post Master. A requisition was sent to Employment Exchange for making appointment to the said post but only 2 names were sent. Consequently an advertisement was made and more applications were received and, it appears, thereafter selection was made. The applicant has challenged the selection so made on the ground that he has already worked on that post and acquired the requisite experience and fulfil the requisito qualification also. As such his application should

have been disposed of prior to the said selection.

2. According to the respondents, the selection was made after considering the application of the applicant, meaning thereby no final appointment has been made. Accordingly the respon

3. Accordingly the respondents are directed to consider the candidature of the applicant taking into account his merits as he has already worked on that post. In case he is found as better than the other candidates his case be considered for appointment, otherwise his case can also be considered for other post office i.e. Pendara for which also he has already applied, as he has gained experience. With the above observations the application stands disposed of. No order as to the costs.

R. Chintamani
Member (A)

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Vice-Chairman.

Dated: 22nd February, 1993, Lucknow.

(tgk)