

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
LUCKNOW
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Original Application No. 551 of 1992
this the 17th day of Jan., 95

HON'BLE MR. V.K. SETH, ADMN. MEMBER
HON'BLE MR. D.C. VERMA, JUDICIAL MEMBER

Ayodhya Prasad, S/o Sri Bachehu Lal, aged about 28
years, R/o Village & post Khajurar Via Ikauna,
District Bahraich.

Applicant

By Advocate : Sh. Surendran P.

Versus

Union of India through its Secretary to the
Government, Ministry of Communication, Sanchar
Bhawan, New Delhi.

2. Chief Post Master General, Uttar Pradesh, Lucknow
3. Director of Post Office, Lucknow.
4. Superintendent of Post Office, Bahraich
Division, Bahraich.
5. Sub-Divisional Inspector of Post Offices,
Central Division, Bahraich.
6. Kesari Kumar, Village and Post Khajurar Via
Ikauna, District Bahraich.
7. Sub Post Master, Post Office, K Ikauna,
Bahraich.

Respondents

By Advocate : Dr. D. Chandra

ORDER (ORAL)

V.K. SETH, MEMBER (A)

By means of this O.A. the applicant

has prayed for issue of directions to the respondents to set-aside the order of termination issued by them on 24.9.1992 dispensing with his services as E.D.B.P.M., Khajurar, District Bahraich.

2. Counter affidavit and Rejoinder affidavit have been exchanged between the parties and we have perused the same and we have also applied our mind to the submissions made by the learned counsel for the applicant at the time of hearing.

3. The respondents in their C.A. interalia have extended assurance that as and when any post will fall vacant, the applicant will be considered for appointment. This assurance has been extended by the respondents in pursuance of the directions of this Tribunal contained in this judgment of 25.8.1992 passed in O.A. No. 453/88. In the said judgment it was ordered that as a result of the restoration of the applicant (Kesari Kumar, applicant in O.A. No. 453/88), if any other person has taken-over, the respondents can give him appointment elsewhere.

4. The applicant's counsel stated before the bar that though the applicant would not prefer to be appointed as E.D.B.P.M., he would be unwilling to accept any other alternative appointment in case the vacancy of E.D.B.P.M. is not readily available. In view of the assurance made by the respondents in the Counter affidavit and the submissions made by the learned counsel for the applicant

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we order that the applicant shall be appointed to the first vacancy of E.D.B.P.M. or any other E.D. Agent occurring in Bahraich Postal Division hereinafter.

5. The O.A. stands disposed of as above. In the facts and circumstances of the case there shall be no order as to costs.


MEMBER (J)


MEMBER (A)

LUCKNOW: DATED: 17.1.1995

GIRISH/-