

Central Administrative Tribunal, Lucknow Bench, Lucknow

Original Application No. 424/2006

This the 3rd day of November, 2009

Hon'ble Ms. Sadhna Srivastava, Member (J)

Hon'ble Dr. A.K. Mishra, Member (A)

Raj Kumar Pandey, son of Sri Ram Shiromani Pandey aged about 30 years resident of Village Gidhara Post Biharganj, (Garhvara) District- Pratapgarh.

Applicant

By Advocate: Sri D. Awasthi

Versus

1. Union of India through Chief Post Master General, U.P. Circle, Lucknow.
2. Senior Superintendent of Post Offices, Pratapgarh
3. Sub Divisional Inspector (Post Offices), Central Sub Division, Pratapgarh.

Respondents

By Advocate: Sri Ganga Singh

(ORDER)

Hon'ble Ms. Sadhna Srivastava, Member (J)

The applicant is seeking to quash the order of termination dated 7.9.2006.

2. The facts are that the applicant was allowed to work on temporary basis on the post of Mail Carrier, Upadhyaypur vide order dated 18.7.2005. Thereafter, policy decision was taken on 18.5.2006 that no provisional substitute should be allowed to continue, rather the work of the office shall be carried out with the regular appointees. In pursuance of the said order, the applicant was disengaged vide order dated 7.9.2006. The applicant seeks quashing of the said order.

3. We have heard the learned counsel for the parties and perused the record.

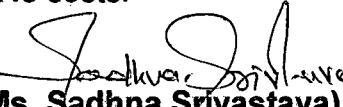
4. We are unable to find any legal ground to interfere in the matter. The applicant was engaged by way of stop gap arrangement on the condition that his services can be put to an end at any time. He was never appointed under statutory rules.



Therefore, no legal right accrued to him on the post. His engagement was in the nature of a contract. Therefore, his grievance has no legal basis. Moreover, it was on account of a policy decision not to keep persons engaged dehors the statutory rules. Therefore, it does not call for our interference. Resultantly, the application is dismissed. No costs.


(Dr. A.K. Mishra)
Member (A)

3/11/09


(Ms. Sadhna Srivastava)
Member (J)

HLS/-