

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

Original Application No. 104 of 1991

Versus

Union of India & Others Respondents

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

Hon'ble Mr. K. Obayya, Member (A)

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

This is second inning by the applicant. The applicant joined as Extra Departmental Branch Post Master, was not teacher any where. Subsequently, it appears that while acting as extra departmental branch post master, he became a primary school teacher and that's why he was put off from duty.

2. Feeling aggrieved against the same, the applicant approached this tribunal and this application was allowed by this tribunal (T.A. No. 1109/87) on 8.5.1990 quashing the order dated 30.10.1988 without granting him any consequential reliefs. The complaint of the applicant is that, despite the order of the tribunal, the applicant has not been assigned any duty. Admittedly, he is working as a primary teacher and the respondents have pointed out that he is working as a primary teacher and the duty of a teacher clashed with that of extra departmental branch post master. The applicant was given an option as to whether he would prefer to be Extra Departmental Branch Post or Primary School teacher, but no option has been exercised by him, even before this tribunal.

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3. Under the rules, ~~as~~ of course, the person cannot be allowed to work on both the post simultaneously, when the duty hours clash. As the applicant is very well a teacher in primary school, there appears to be no reasons for allowing him to act as Extra Departmental Branch Post Master in contravention of the departmental instructions. Accordingly, this application deserves to be dismissed and it is dismissed. No order as to costs.


Member A)


Vice-Chairman

Lucknow Dated: 30.3.1993

(RKA)