

AS

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

LUCKNOW

O.A. No. 357/91

Dilip Kumar

Applicant

versus

Union of India & others

Respondents.

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

Hon. Mr. A.B. Gorthi, A.M.

-----

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

As the pleadings are complete and a short question is involved, the Application is being disposed of at this stage.

Admit.

The applicant was appointed as Substitute E.D. Mail Man vide order dated 29.10.86. The appointment of the applicant was made in place of one Anil Kumar Srivastava, who was promoted on the post of group 'D' After promotion of Shri Anil Kumar Srivastava, in which place the applicant was appointed, the applicant continued to work upto 14.7.88 as Substitute E.D. Mail Man. By the order of respondent No. 4 dated 24.5.88 it was ordered that the Substitute should be engaged only when the work could be managed after deploying casual labours. The respondent No. 4 issued another letter dated 4.7.88 stating therein that the engagement of substitute on vacant post of E.D.As should be discontinued with immediate effect. Thereafter,

64

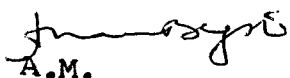
16  
the applicant was discontinued with effect from 15.7.88. He made representations to the department and then he approached the Tribunal.

2. It has been contended on behalf of the applicant that name of the applicant was sponsored by the Employment Exchange, even then he was not given appointment while others who were not sponsored by the Employment Exchange, were appointed. The applicant further contends that he has continuously worked for 240 days, so he is entitled for regularisation of his services.

3. The respondents have resisted the claim of the applicant and said that the nature of the appointment of the applicant was never made on the post of E.D. Mail. From the counter it appears that the applicant was sponsored from Employment Exchange but no appointment was given to him.

4. In view of the fact that the appointment was casual but he has worked for 240 days, there appears to be no reason why his case should not be considered, as he has gained sufficient experience. While considering the appointment of the applicant he should be given priority over those who were not sponsored by the Employment Exchange. Application is disposed of as above.

Shakeel/

  
A.M.

Lucknow Dated: 31.1.92

  
V.C.