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CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

Transferred Application No. 1070 of 1987

Bhagwati Din Singh Applicant

Versus

Superintendent of Post Offices,
Sultanpur Division, Sultanpur and others . . . Respondents

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

Hon'ble Mr. V.K. Seth, Member (A)

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

Failing to get appointment as Extra Departmental Branch Post Master, which appointment was given to the respondent no. 2, the applicant filed a writ petition before the High Court and by operation of law, it has been transferred to this tribunal. It appears that the previous incumbent proceeded on leave and the applicant was appointed as Substitute in his place. The previous incumbent who was his real brother, ~~he~~ died on 6.11.1980. The applicant continued to work. The applications for the post were invited and the applicant who was also qualified submitted an application, but instead of selecting the applicant, the respondent ^{no 2} was selected.

2. According to the applicant, he fulfils all the requisite conditions and he has a Pakka House also and he has better place than the respondent, yet the respondent was ~~allowed~~ appointed.

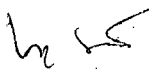
3. From the counter-affidavit, it appears that the respondent has passed B.A. Examination and he has been appointed in preference to the applicant who was an Ex-Army person^{and was considered to be better than applicant}. The appointment was made as early as in the year 1982. There appears to be no good ground for

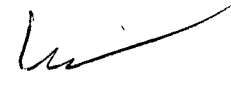
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interfering with the said appointment and that's why no one has appeared on behalf of either of the parties. Accordingly, the application is dismissed. No order as to costs.


Member (A)


Vice-Chairman

Lucknow Dated: 26.4.1993.

(RKA)