

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCH : PATNA

Registration No. 228/96

Date of Order : 1.11.1996
(Order dictated in open Court)

Shri Anmol Kumar Applicant

vs.

Union of India & Ors. ... Respondents

Counsel for the applicant : Mr. I. D. Prasad

Counsel for the respondents : None

C O R A M

Hon'ble Mr. K. D. Saha, Member(Administrative)

Hon'ble Mr. D. Purkayastha, Member(Judicial)

O R D E R

Hon'ble Mr. K. D. Saha, Member(Administrative) :-

Heard Shri I. D. Prasad, learned counsel for the applicant. This application is directed against the appointment of Respondent No. 7, Shri Shankar Sharan, EDBPM, Baijnathpur EDBO in Saharsa Postal Division, Saharsa. The submission of the applicant is that he secured higher marks in the Matriculation examination than Respondent No. 7 and despite this, ignoring his better claim, Respondent No. 7 has appointed to the post in an illegal manner. It is further submitted that besides appearing twice at the Matriculation examination with two different dates of birth, the Respondent No. 7 has no landed property and also has no source of income as per criteria made under the Rules. The applicant stated to have represented in this connection to the Respondent No. 5, (The Superintendent of Post Offices, Saharsa Division, Saharsa) vide Annexure-A/4 but despite this, Respondent

No.7 has been appointed and no reply has been given to the applicant to the above said representation.

2. Considering the submissions and after going through the averments on record, we are of the view that this application can be disposed of by giving a suitable direction to Respondent No.3 (Postmaster General, Muzaffarpur Region, Muzaffarpur) to dispose of the representation of the applicant with regard to the appointment of Respondent No.7 as EDBPM, Baijnathpur EDBO in preference to the better claim of the applicant. Accordingly we hereby direct the applicant to submit a fresh representation within a month to Respondent No.3 (Postmaster General, Muzaffarpur Region, Muzaffarpur) including a copy of this order alongwith a copy of O.A.-228/96, and on receipt of the same, Respondent No.3 (Postmaster General, Muzaffarpur Region, Muzaffarpur) shall dispose of the same by a reasoned and speaking order within three months from the date of receipt of the above said representation.

The application is disposed of accordingly.

(D.Purkayastha)
Member (A)

(K.D.Saha)
Member (A)

MPS.