

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO.913/99.

Wednesday, this the 27th day of October, 1999.

Coram: Hon'ble Shri Justice R.G.Vaidyanatha, Vice-Chairman,
Hon'ble Shri D.S.Baweja, Member(A)

W.M.Lunge,
Ward No.1, Narkhed,
Tahsil-Narkhed,
District - Nagpur.
(By Advocate Mr.S.S.Joshi)

... Applicant.

Vs.

1. The Union of India,
through Secretary,
Ministry of Posts and Telegraphs
Department,
New Delhi.

2. The Senior Superintendent of
Post Office,
Nagpur - Mofussil.

3. The Sub Divisional Inspector,
Katol Sub Division,
Katol - 441 302.
District-Nagpur.

4. Sub Post Master,
Narkhed,
District-Nagpur.
(By Advocate Mr.V.S.Masurkar)

... Respondents.

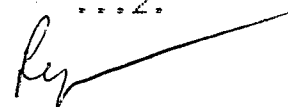
: O R D E R (ORAL) :

(Per Shri Justice R.G.Vaidyanatha, Vice-Chairman)

Present Mr.S.S.Joshi, counsel for the applicant and
Mr.V.S.Masurkar, counsel for the respondents. We have heard both
sides regarding admission.

2. The applicant is working as an Extra Departmental Mail
Conveyor (for short E.D.M.C.) at Narkhed in Nagpur District.
Apprehending termination by the Respondents, he has approached

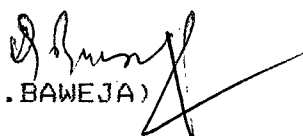
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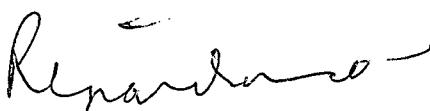


this Tribunal. This Tribunal had granted ex-parte interim order dt. 8.10.1999 to the effect that the applicant shall not be replaced by any ad-hoc appointee.

3. Now, at the time of arguments, the learned counsel for the respondents Mr. Masurkar on instructions submitted that the department is processing selection of regular candidates and they have considered even the applicant for regular selection according to rules and applicant's services will be terminated if and when a regular candidate is selected and posted in his place. The learned counsel for the applicant contends that the applicant's services should not be terminated except after giving one month's notice.

4. After hearing both sides, we are disposing of this application at the admission stage. We hereby direct that the applicant should not be replaced by any ad-hoc candidate or any other candidate except by a regularly selected candidate. After selection of regular candidate, it is open to the administration to terminate the services of the applicant as per rules. In case the applicant is aggrieved by any such order of termination he is entitled to challenge the same according to law. All contentions on merits are left open. In the circumstances of the case, there will be no order as to costs.


(D.S. BAWEJA)
MEMBER(A).


(R.G. VAIDYANATHA)
VICE-CHAIRMAN

B.