

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

ORIGINAL APPLICATION NO.: 814 of 2000.

Dated this Friday, the 8th day of December, 2000.

CORAM : Hon'ble Shri B.S. Jai Parameshwar, Member (J).

Hon'ble Smt. Shanta Shastry, Member (A).

Suresh Nathuji Choudhari,
Extra Departmental Delivery Agent,
At & Post Kharade under
Shahapur S.O. 421 601.

... *Applicant.*

(By Advocate Shri S. P. Inamdar)

VERSUS

1. Union of India through
The Chief Post Master General,
Maharashtra Circle,
Mumbai - 400 001.
2. The Sr. Suptdt. of Post Offices,
Thane Division,
Thane.
3. The Asstt. Superintendent of
Post Offices,
Kalyan Sub-Division,
Kalyan, Dist. Thane.
4. The Asstt. Superintendent of
Post Offices,
Thane Sub-Division,
Thane, Dist. Thane.

... *Respondents.*

(By Advocate Shri V. S. Masurkar).

OPEN COURT ORDER

PER : Shri B.S. Jai Parameshwar, Member (J).

Heard Shri S. P. Inamdar, the Learned Counsel for the applicant. Shri V. S. Masurkar, the Learned Counsel for the Respondents.

2. The applicant was earlier working as Extra Departmental Delivery Agent at Kharade. His appointment order was challenged

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by two applicants in O.A. No. 451/96. The said O.A. was decided on 18.07.2000. The directions given in the O.A. reads as follows:

"9.(a) The respondents shall verify from the records available with them whether as on 1.3.1996, the representation of the reserved community candidates was adequate or not.

(b) If the respondent authorities form an opinion that there was shortfall of reserved community candidates, then they shall issue fresh Notification reserving the post for the particular community. In such an event, the appointment of the Respondent No. 4 shall be treated as provisional.

(c) Time for compliance is four months from the date of receipt of this order."

3. Accordingly, the respondents treated the status of the applicant as a provisional E.D.D.A. of the Branch Office.

4. Further, they issued a notification dated 20.10.2000, Annexure-4, page 26, reserving the post for SC/ST candidates.

5. The notification appears to have been issued only after working out the representation of the reserved community candidates in accordance with the directions by this Tribunal in the earlier O.A.

6. The Learned Counsel for the respondents submits that they will consider only the candidates belonging to Reserved community and fill up the post in accordance with the notification dated 20.11.2000.

7. It is to be noted that the applicant has been working on that post since 1996 and has completed nearly four years and odd.

8. In case a regular candidate is posted in ~~the~~ place of the applicant, then the respondents shall consider the case of the applicant for regularisation as E.D.D.A. in accordance with the instructions contained in the letter dated 18.05.1979
v DGP&T

9. The O.A. is disposed of with the above directions. No order as to costs.

Smt. Shanta Shastri

(Smt. SHANTA SHAstry)
MEMBER (A).

B.S. Jai Parameshwar

(B.S. JAI PARAMESHWAR)
MEMBER (J).

814/2000