

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.
ORIGINAL APPLICATION NO. 35 OF 2001.

Dated: 4.6.2001

Coram: Hon'ble Shri Justice Birendra Dikshit, Vice-Chairman,
Hon'ble Shri B.N.Bahadur, Member (A)

Shaikh Ejaj Shaikh Abbas,
At Surangali, Branch Officer
(Bhokardan), Residing at
Surangal, Tal. - Bhokardan,
Dist. - Jalana.

...Applicant.

(By Advocate Shri K.R.Yelwe)

Vs.

1. Union of India through
The Postmaster General,
Aurangabad - 431 001.
2. The Senior Superintendent of Post Office,
Aurangabad Division,
Aurangabad - 431 001.
3. Shri Arun Govinda Gawli,
Residing at Surangali,
Tal. - Bhokardan,
Dist. Jalna.

...Respondents.

(By Advocate Shri V.S.Masurkar)

: O R D E R (ORAL) :

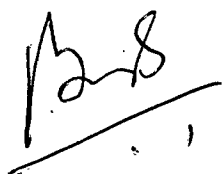
{Per Shri B.N.Bahadur, Member (A) }

As this is a very short matter, and pleadings are complete and both Learned Counsels are heard, the matter is being disposed of at the stage of admission with the consent of of Counsels on both sides.

2. The applicant comes up to the Tribunal seeking the relief, in substance, that a direction be issued to Respondents not to terminate his services till regularly selected candidate is appointed. An interim order was made in this case on the first day to the effect that applicant shall be replaced only by a regularly selected candidate.

3. The Respondents have now given details of what had transpired in their reply, stating that the applicant was engaged as a stop gap arrangement by SDI, Sillod Sub- Division

...6.



in view of the previous incumbent being put off from duties. The Learned Counsel for the Respondents, Shri Masurkar, also points out that an enquiry is also conducted against Shri Kale and has made a statement that the applicant shall be terminated only when regular arrangements are made either by recruiting a new person regularly, or if Shri Kale is brought back etc.

4. Thus, the only ground that was available for applicant in view of settled law is to the effect that he shall not be replaced by any other ad-hoc person. Noting this position, the OA stands disposed of accordingly. No costs.

B.N. Bahadur

(B.N. BAHADUR)

MEMBER(A)

P. Dikshit

(BIRENDRA DIKSHIT)

VICE-CHAIRMAN

B.