

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH, NEW BOMBAY

CAMP: NAGPUR

(1)

OA.NO. 288/90

Shri T.M.Talmale

... Applicant

vs.

The Superintendent,
Postal Stores Depot,
Maharashtra Circle,
Nagpur 440 001.

... Respondents

CORAM: Hon'ble Member (A) Shri P.S.Chaudhuri
Hon'ble Member (J) Shri D.K.Agrawal

Appearance

Mr.R.S.Charpe
Advocate
for the Applicant

ORAL JUDGEMENT

Dated: 20.6.1990

(PER: D.K.Agrawal, Member (J)

The applicant, a Part Time Water Man in the Postal Stores Depot, Maharashtra Circle at Nagpur has filed the above application for a direction to the respondents to absorb him on a regular post of Class IV Group 'D' Category. The applicant makes a grievance that on his representation the respondents have given evasive reply dated 25.4.1989 (Annexure 'E') ~~was~~ that it is not possible to conduct the examination due to some administrative reason. The learned advocate for the applicant has submitted before us that in fact no examination is required to be conducted for absorption of casual mazdoor to Group 'D' post. The submission is that casual mazdoor or part time casual mazdoors ^{have} ~~have~~ to be absorbed in accordance with the Circular dated 20.2.76 (Annexure 'B' to the petition). The rules of recruitment have, however, not been produced before us.

D.K.Agrawal

Contd. 2/-

2. We have taken into account the relevant papers on record and the submissions made by the learned advocate for the applicant. We consider that the interest of the applicant will be best served by issuing a direction at this stage itself to the respondents to consider the candidature of the applicant or for absorption in Group 'D' post in accordance with the above quoted Circular or other relevant rules on the subject and pass a speaking order either absorbing him or not absorbing him within a period of 3 months from the date a copy of this order is served on the respondents. In case the applicant still feels aggrieved, he will be at liberty to approach us again on the basis of the order so passed by the competent authority in the light of the directions made above by us.

3. The petition is finally disposed of in the light of the observations made above with no order as to costs.

D.K. Agrawal
20.6.90
(D.K.AGRAWAL)
MEMBER (J)

P.S. Chaudhuri
(P.S.CHAUDHURI)
MEMBER (A)