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Dated: 9.9.1993

Camp : NAGPUR

Heard Shri A.S.Giradkar for the applicant and Shri Sundaram for the respondents.

The rule ^{to} on which the challenge is raised by the applicant is not filed.

S.O. to the week commencing from 1.11.1993 for admission hearing.

h. Savara
(USHA SAVARA)
M (A)

M.S. Deshpande
(M.S. DESHPANDE)
V.C.

Dated: 1/11/93.

None for the applicant.

Shri M.G. Bhargade takes notice.
To be listed for admission
on 9/11/93.

*MPCW-65/93
for Amendment
on 9/11/93
[Signature]*

N.K. Verma
(N.K. Verma)
M(A)

M.S. Deshpande
(M.S. Deshpande)
V.C.

Amendment to
petition is carried
out as per orders
dt 9.11.93

Shri Giradkar
Counsel for Petitioner
9.11.93

B.

Dated: 9-11-1993.

Camp at Nagpur

None for the applicant

Mr M.G. Bhargade, Counsel for the Respondents.

Amendment allowed. Reply already filed. Amendment to be carried out within 3 days, additional reply to the amendment be filed within 4 weeks.

Re-matter be listed in the week commencing from 3-11-1994.

N.K. Verma
(N.K. Verma)
M(A)

M.S. Deshpande
(M.S. Deshpande)
V.C.

(2)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH, CAMP AT

NAGPUR.

Original Application No.1074/93.

Shri N.H.Thakur.

..... Applicant.

V/s.

Union of India & Anr.

..... Respondents.

Coram: Hon'ble Shri Justice M.S.Deshpande, Vice-Chairman,
Hon'ble Shri M.R.Kolhatkar, Member(A).

Appearances:-

Applicant by Shri A.S.Giradkar.

Respondents by Shri Bhangade.

Oral Judgment:-

{Per Shri M.S.Deshpande, Vice-Chairman} Dt. 3.1.1994.

Heard counsel for the parties. It is apparent that the applicant was given an appointment as a Branch Post Master. As the eligibility then was VIIIth standard. A regular selection was held at which the applicant was not selected and another person came to be selected. It is found that the other person was not also eligible to hold the appointment and ^{so} he was terminated. But, in the meanwhile, the applicant was allowed to continue in the post. A fresh selection was thereafter held where the eligibility clause required that the candidate should have passed Matriculation Examination. The applicant did not fulfil that requirement as he had not passed Matriculation. The learned counsel for the applicant states that since the applicant was eligible when the qualification was of VIIIth standard he should

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(3)

be deemed to be eligible also at the next selection where the Matriculation was the minimum educational qualification. It is difficult to accept this submission. We see no merit in the application. It is accordingly dismissed.

M R Kolhatkar

(M.R.KOLHATKAR)
MEMBER (A)

M S Deshpande

(M.S.DESHPANDE)
VICE-CHAIRMAN

B.