

(1)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH.

Original Application No. 120/93

Transfer Application No. _____

Date of decision 21-6-1993

Shri Ramesh Prabhuappa Sarkale Petitioner

Mr. S. P. Kulkarni Advocate for the Petitioner

versus
U.O.I and Ors.

Respondent

Mr. V. M. Bendre for R. Nos. 1 to 3 Advocate for the Respondent(s)

Coram :

The Hon'ble Shri Justice M.S.Deshpande, Vice-Chairman

The Hon'ble ~~xxxx~~ Ms.Usha Savara, Member(A)

1. Whether the Reporters of local papers may be allowed to *Jl* see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of *M* the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

M.S.DESHPANDE
VC

M

(5)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A.120/93

Shri Ramesh Prabhuappa Sarkale,
C/o.S.P.Kulkarni,
Advocate,
Gunjan, Wadavli Section,
Ambernath (E) 421 501. .. Applicant

-versus-

1. Sub Divisional Inspector(P)
Nanded West Sub Division
Department of Posts,
Nanded 431 602.
2. The Supdt. of Post Offices,
Nanded Division,
Nanded 431 602.
3. Union of India
through
Director of Postal Services,
O/O PMG Deptt. of Posts,
Aurangabad Region,
Aurangabad 431 001.
4. Shri Shivdas Rustumrao Chapele,
at and Post Gaur, via Purna,
(Nanded) 431 511. .. Respondents

Coram: Hon'ble Shri Justice M.S.Deshpande
Vice-Chairman

Hon'ble Ms.Usha Savara, Member(A)

Appearances:

1. Mr.S.P.Kulkarni
Advocate for the
Applicant.
2. Mr.V.M.Bendre
Advocate for
Respondents No.1 to 3.

Heard Mr.S.P.Kulkarni for the
applicant, Mr.V.M.Bendre for respondents No.
1 to 3 and respondent No.4 served by Regd.
Post.

2. The only reason for non consideration
of the applicant for regular appointment though
he was provisionaly holding the post to which
respondent No.4 was appointed was that he was
not sponsored by the Employment Exchange.

- : 2 :-

3. In view of the decision in P-Suresh Babu vs. Head Postmaster, HPO Palai and Others, (1990) 13 ATC 245 even in such eventuality the applicant should have been considered. This proposition is confirmed in G.S.Parvathy vs. S.D.Inspector (Postal) & Ors., AISLJ IV 1992(1)(CAT)540.

4. In view of this we direct the respondents No. 1 to 3 to consider the applicant along with the respondent No.4 for appointment to thevacancy and till the regular selection is made the applicant's position shall not be disturbed.

5. With this direction the O.A. is disposed of with no order as to costs.

U. Savara

(USHA SAVARA)
M(A)

M. Deshpande

(M.S.DESHPANDE)
VC

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