

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

Original Application No: 723/97

Date of Decision: 24.10.1997

S.N.Gaikar

Applicant.

Shri S.P.Kulkarni

Advocate for  
Applicant.

Versus

Union of India & Ors.

Respondent(s)

Shri S.S.Karkera for Shri P.M.Pradhan for R-1&2  
Advocate for  
Respondent(s)

CORAM:

Hon'ble Shri. Justice R.G.Vaidyanatha, Vice Chairman

Hon'ble Shri. M.R.Kolhatkar, Member (A)

- (1) To be referred to the Reporter or not? *no*
- (2) Whether it needs to be circulated to other Benches of the Tribunal? *no*

*M.R.Kolhatkar*  
(M.R.KOLHATKAR)

MEMBER (A)

*R.G.Vaidyanatha*  
(R.G.VAIDYANATHA)

VICE CHAIRMAN

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH, MUMBAI

OA.NO. 723/97

Dated this the 24th day of October, 1997

CORAM: Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman  
Hon'ble Shri M.R.Kolhatkar, Member (A)

Subhash Namdeo Gaikar  
Extra Departmental Branch Post Master,  
Kirawali (Karjat S.O.), Dist. Raigad.  
R/at Deolwadi P.O.Kirawali via Karjat  
(Dist. Raigad).

By Advocate Shri S.P.Kulkarni

... Applicant

V/S.

Union of India through

1. Supdt. of Post Offices,  
New Bombay Division,  
Panvel Head Office Building,  
P.O.Panvel (Dist. Raigad).
2. Postmaster General,  
Mumbai Region, Office of the  
Chief Postmaster General,  
Maharashtra Circle, Old GPO Bldg.  
2nd Floor, Fort, Bombay.
3. Shri Bhuichandra Ganpat Badekar  
At P.O. Kirawali via Karjat P.O.  
Dist. Raigad.

By Advocate Shri S.S.Karkera for  
Shri P.M.Pradhan for Respondents  
No. 1 & 2.

... Respondents

O R D E R

(Per: Shri Justice R.G.Vaidyanatha, VC)

This is an application under Section 19  
of the A.T.Act. Respondents have filed reply. Heard  
both sides.

 .. 2/-

2. It is an admitted fact that the applicant has been appointed as a substitute Extra-Departmental Branch Post Master w.e.f. 14.2.1997 on the retirement of previous Branch Post Master. It appears that the department called for list of candidates from Employment Exchange for filling the post of Branch Post Master. The list included the names of applicant and Respondent No.3. On the basis of over-all merit of candidates, the appointing authority has appointed Respondent No. 3 to the said post. Being aggrieved by this order, the applicant has come to this Tribunal.

3. After hearing both the sides, we find that the Respondent No. 3 has been appointed for securing more marks in the SSC examination. It may be that the applicant may have a few months experience as substitute in the same post. Since Respondent No. 3 has already been appointed on the basis of merit, we *are not inclined* ~~do not feel~~ to interfere with the order of respondents. But we feel that since the applicant is qualified and has some experience, his case should be considered as and when next vacancy arises as per rules.

4. In the result, the OA.. is disposed of with the above observation. Interim order granted is hereby vacated.

*M.R. Kolhatkar*  
(M.R.KOLHATKAR)  
MEMBER (A)

*R. G. Vaidyanatha*  
(R.G.VAIDYANATHA)  
VICE CHAIRMAN