

CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO.: 982/98.

Date of Decision : 18.12.1998.

Namdeo Tukaram Sultane, Petitioner.

Shri S. P. Kulkarni, Advocate for the
Petitioner.

VERSUS


Union Of India & Others, Respondents.


Shri V. S. Masurkar, Advocate for the
Respondents.

CORAM :

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

Hon'ble Shri D. S. Baweja, Member (A).

(i) To be referred to the Reporter or not ? 

(ii) Whether it needs to be circulated to other 
Benches of the Tribunal ?


(R. G. VAIDYANATHA)
VICE-CHAIRMAN.

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CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO.: 982/98

Dated this Friday, the 18th day of December, 1998.

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

Hon'ble Shri D. S. Baweja, Member (A).

Namdeo Tukaram Sultane,
Extra Department/Branch
Post-Master,
Lonwadi B.O.,
(Andhari S.O.) - 431 151.

Residing at -

Lonwadi, At. P.O. Lonwadi,
Taluka : Sillod,
Dist. Aurangabad,
Via. Andhari S.O. - 431 151.

(By Advocate Shri S. P. Kulkarni)

... Applicant

VERSUS

1. Union Of India through
The Senior Superintendent of
Post Offices,
Aurangabad Division,
At P.O.: Aurangabad - 431 001.

2. The Director of Postal Services,
C/o. The Postmaster General,
Aurangabad Region,
At P.O.: Aurangabad - 431 002.

3. Shri Ambadas Bhivsen Sultane
(Selectee EDBPM),
At P.O. Lonwadi, Via. Andhari
S.O., Tal. Sillod,
Dist. Aurangabad - 431 151.

(By Advocate Shri V.S. Masurkar)

... Respondents.

: OPEN COURT ORDER :


! PER.: SHRI R. G. VAIDYANATHA, VICE-CHAIRMAN !

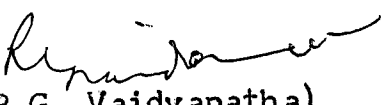
In this O.A. the applicant is challenging the appointment of Respondent No. 3 as E.D.B.P.M. Respondent No. 1 and 2 have filed reply opposing the application. We have heard the Learned Counsels regarding admission.

2. After hearing both sides, we find that Respondent No. 3 has been selected as per the recruitment rules and on merits. Therefore, the applicant has no right to challenge the appointment of Respondent No. 3.

It is brought to our notice that the applicant has worked ^{on} substitute from 14.05.1997 till today. He has also the qualification and eligibility for the appointment in question. Therefore, he has every right to be considered for appointment as and when the Respondent Nos. 1 and 2 initiates fresh recruitment process for selection of candidates for E.D.B.P.M. in that sub-division.

3. In the result, the O.A. is disposed of at the admission stage with a direction to the Respondents to consider the case of the applicant alongwith other candidates in the Aurangabad Sub-Division and if the applicant is eligible and found suitable, he may be appointed according to rules. In the circumstances of the case, there will be no order as to costs.


(D.S. Baweja)
Member (A).


(R.G. Vaidyanatha)
Vice-Chairman.