

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

O.A.186/98

Dated this Friday the 19th Day of October, 2001.

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)

Hon'ble Smt. Shanta Shastry, Member (A)

Avinash Prabhakar Sali, then working as,  
Extra Departmental Delivary Agent Pashi  
(Shirval) Palshi Branch,  
Post Office, Under Shirval Sub Post Office,  
Satara - 1.

R/at : Palshi (Shirval),  
District Satara-412 801.

.. Applicant

(By Advocate Shri S.P. Kulkarni).

VERSUS

1. Union of India,  
through,  
Senior Superintendent of Post,  
Offices, Satara Postal Division,  
At Post : Satara - 415001.
2. Assistant Superintendent of Post  
Offices, Phaltan Sub Division,  
At P.O. Phaltan,  
District Satara - 415 523.
3. District Employment Officer,  
Satara - 415 001.
4. District Social Welfare Officer,  
(Employment), Satara-415001.
5. Shri Sanjay Vinayak Bhargude,  
E.D.D.A. Palshi (via-Shirval) B.O.,  
Tal. Khandala (District Satara),  
Satara - 412 801.

.. Respondents

(By Shri S.S. Karkera proxy counsel for  
Shri P.M. Pradhan, for Respondent No.1&2 and  
Shri V.S. Masurkar, learned counsel for  
Respondent Nos.3 and 4).

ORDER (Oral)

{ Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J) }

In this application the applicant has challenged

the action taken by the respondents pertaining to selection of respondent No.5 to the post of Extra Departmental Agent (EDA) Palshi.

2. When the case was taken up for final hearing, learned counsel for the applicant <sup>has</sup> fairly submitted that he does not challenge the selection of Respondent No.5 - S.V. Bhargude for the aforesaid post of EDA, Palshi. However, he has submitted that the applicant himself had put in more than 4 years of service in that capacity before his services were terminated and Respondent No.5 was appointed. In the circumstances, he has submitted that for the next available vacancy of EDA <sup>18.</sup> ~~Palshi~~ the respondents may be directed to consider the applicant's case for re-appointment as he has already rendered some years of service with them in that capacity.

3. Shri S.S. Karkera, learned proxy counsel for Shri P.M. Pradhan, learned counsel for respondent nos.1 and 2, and Shri V.S. Masurkar, learned counsel for respondent nos.3 and 4 have been heard. They ~~do~~ have no objection to the aforesaid submissions made on behalf of the learned counsel for the applicant subject to fulfilment of eligibility conditions by the applicant.

18. ...2..

They have submitted that the applicant may be considered provided he makes a suitable application as and when vacancy is notified.

4. Noting the above submissions, O.A. is disposed of with a direction to the respondents that in case the applicant makes an appropriate application to ~~with~~ respondents, to be considered against any notified vacancy of EDA ~~by the~~ <sup>18</sup> respondents, they shall consider the same in accordance with rules and regulations. They may also take into account that he had rendered more than 4 years of service in that capacity, which is subject to the fulfilment of ~~the~~ <sup>18</sup> ~~the~~ <sup>prescribed</sup> ~~the~~ <sup>18</sup> eligibility conditions in the relevant recruitment rules.

No costs.

Smt. Shanta Shastry

( Smt. Shanta Shastry )  
Member (A)

Lakshmi Swaminathan

( Smt. Lakshmi Swaminathan )  
Vice Chairman (J).

H.