

(1)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

Date of Decision: 15.3.2000

OA 238/98

Nemi Chand Bhukar s/o Shri Shyo Bax Singh Bhukar r/o Gothara Bhukran, Distt. Sikar.

... Applicant.

v/s.

1. Union of India through its Secretary, Post & Telegraph Department, New Delhi.
2. Chief Post Master General, Rajasthan Circle, Jaipur.
3. Superintendent, Post Office, Sikar.
4. Inspector, Post Office, Sikar. ...
5. Shri Dharam Veer Singh, s/o Shri Chuui Lal, Post Gothara Bhukaran, via Kudan, Sikar.

... Respondents

CORAM:

HON'BLE MR. S. K. AGARWAL, JUDICIAL MEMBER

HON'BLE MR. N. P. NAWANI, ADM. MEMBER

For the Applicant

... Mr. Arvind Soni, proxy counsel  
for Mr. M. K. Shah

For the Respondents

... Mr. M. Rafiq

O R D E R

(PER HON'BLE MR. S. K. AGARWAL, JUDICIAL MEMBER)

In this OA the applicant makes a prayer to quash the impugned order dated 1.7.98, by which Shri Dharam Veer Singh was appointed on the post of EDBPM Gothara Bhukaran, and to direct the respondents to regularise the services of the applicant against the vacant post.

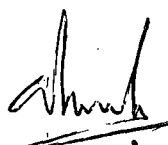
2. The case of the applicant is that he was selected on the post of Shakha Dakpal and accordingly he was given appointed vide order dated 4.4.98. Since then the applicant has been working on the post and discharging his duties satisfactorily but by the impugned order dated 1.7.98 Shri Dharam Veer Singh was appointed on the post which was absolutely invalid, illegal, unjustified and unwarranted. Therefore, the applicant filed this OA for the relief as mentioned above.

3. Reply was filed. In the reply it has been made clear that the applicant was given charge of the post as a stop-gap ~~arr~~ arrangement only and when regular selection was made the charge of the applicant was given to the regular selected candidate Shri Dharam Veer Singh on the post of EDBPM Gothara Bhukaran. It is stated that regular selection against the vacancy of EDBPM Gothara Bhukaran has been made and Shri Dharam Veer Singh was appointed, who is working on the post.

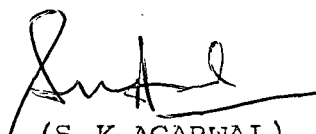
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4. Heard the learned counsel for the parties and also perused the whole record.

5. Admittedly, the applicant was given charge of the post of EDBPM Gothara Bhukaran on temporary basis as a stop-gap arrangement only and a regular selection has been made against the post on which Shri Dharam Veer Singh was ~~is~~ selected and he was given charge of the post and he is working. The selection of Shri Dharam Veer Singh has not been challenged in this case. The applicant only states that he is eligible for the post. Since the applicant has also participated in the process of selection but he was not found fit. Therefore, he was not given appointment on the post of EDBPM Gothara Bhukaran. We, therefore, found ~~not~~ no merit in this case and we dismiss the same at the stage of admission with no order as to costs.



(N.P. NAWANI)  
MEMBER (A)



(S.K. AGARWAL)  
MEMBER (J)