

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 21.5.2001

OA 60/99

Giriraj Prasad Meena s/o Shri Ram Sahai Meena r/o Opp.P.S.
Office, Bucha Leela Mohalla, Kotputli.

... Applicant

Versus

1. Union of India through Secretary, Ministry of Communication, Deptt.of Communication, New Delhi.
2. Post Master General, Rajasthan, Jaipur.
3. Chief Manager, Telecommunication, Rajasthan Circle, Jaipur.
4. General Manager, Telecommunication District (CGO Building), Jaipur.
5. Supdt.of Post Offices, Jaipur Mofussil Division, Jaipur.
6. Sub Divisional Engineer, Zone-1, Central Telegraph Office, Jaipur.

... Respondents

CORAM:

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

HON'BLE MR.GOPAL SINGH, ADMINISTRATIVE MEMBER

For the Applicant ... Mr.Surendra Singh

For the Respondents ... Mr.Hemant Gupta, proxy counsel
for Mr.M.Rafiq

O R D E R

PER HON'BLE MR.GOPAL SINGH, ADMINISTRATIVE MEMBER

In this application u/s 19 of the Administrative Tribunals Act, 1985, applicant Giriraj Prasad Meena has prayed for setting aside the impugned order dated 16.10.98 (Ann.A/4) and for a direction to the respondents to allow him to perform his duties as Extra Departmental Messenger without any loss or break as if the impugned order dated 16.10.98 (Ann.A/4) was never issued. The applicant has further prayed for a direction to the respondents to regularise his services in regular pay scale of ED Messenger.

Gopal Singh

2. Applicant's case is that he was initially appointed as ED Messenger vide respondents' letter dated 9.8.83. On 2.6.92, the applicant was relieved to join duty in the newly opened Divisional Telegraph Office, Kotputli, where he was to be treated as on deputation till his absorption in the Postal Unit or regularisation under STT, Jaipur. Services of the applicant have been terminated from the post of ED Messenger in the Telegraph Office and he has been directed to report for further duties to the Post Master, Head Post Office, Kotputli, vide respondents' letter dated 16.10.98 (Ann.A/4). It is the case of the applicant that he is neither being kept in the Telegraph Office nor has been given any posting by the Postal Department, hence this application.

3. Notices were issued to the respondents, both the Department of Posts and ^{the} Department of Telecom have filed their reply.

4. We have heard the learned counsel for the parties and perused the records of the case carefully.

5. It is seen from records that the applicant was asked his willingness vide Department of Post's letters dated 16.3.99 and 21.5.99 to work in Extra Departmental Branch Post Office, Koliwara Accounts Office, Nangal Rajabatan. However, there was no response from the applicant. The applicant denies receipt of these letters. It is seen from records that the applicant is a resident of Kotputli and letter dated 16.3.99 was addressed to him at Central Telegraph Office, Jaipur, while letter dated 21.5.99 was addressed to him at Telegraph Office, Kotputli. Apparently, the applicant does not want repatriation to his parent Postal Department. As has been pointed out above, the applicant was on deputation to Telecom Department and he does not have a right for regularisation in that department. When his services were not required by the Telecom Department, he was repatriated to the Postal Department and the Postal Department in turn had offered him posting at Nangal Rajabatan, receipt of which is denied by the applicant. In the circumstances, we dispose of this OA

Copy attached

with the following order :-

Respondent No.2 will offer a posting to the applicant at the address given in this application within 15 days from the date of receipt of this order and the applicant will join his duties wherever he is posted in next 15 days thereafter. No costs.

Gopal Singh

(GOPAL SINGH)

MEMBER (A)

S.K. Agarwal

(S.K. AGARWAL)

MEMBER (J)