

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

Date of order: 2.1.2001

OA No. 146/2000

Suresh Puri Goswami S/o Shri Hanumanpuri Goswami r/o 145, Jai Singhpura Thore Jaipur and presently holding the post of Extra Departmental Mail Carrier, Jai Singhpura Thore EDO in account jurisdiction of CRPF Lalwas Sub Post Office, Jaipur

.. Applicant

Versus

1. Union of India through its Secretary to the Govt. of India, Department of Posts, Ministry of Communications, New Delhi.
2. Chief Post Master General, Rajasthan Circle, Jaipur
3. Senior Superintendent of Post Offices, Jaipur City Postal Division 302006.
4. Assistant Superintendent of Post Offices, Jaipur East Sub-Division, Jaipur - 302006.
5. Post Master Shastri Nagar Head Post Office, Jaipur

.. Respondents

Mr. C.B.Sharma, counsel for the applicant

Mr. S.S. Hansa, counsel for respondents

CORAM:

Hon'ble Justice Mr. B.S. Raikote, Vice Chairman

Hon'ble Mr. N.P. Nawani, Administrative Member

Order

Per Hon'ble Mr. Justice B.S. Raikote, Vice Chairman

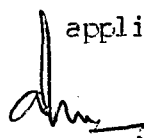
The applicant has approached this Tribunal for the relief that there should be directions to the respondents to continue service of the applicant by issuing formal appointment order. The applicant has contended that on the basis of the notification issued for calling of applications, he applied for the post of Extra Departmental Mail Carrier, Jai Singhpura and accordingly he was selected and vide Ann.A2 an intimation was given to him that his appointment was approved. Thereafter, after furnishing the



necessary particulars required by the Department, he was allowed to join duties and accordingly he took over the charge vide Ann.A4. However, the Department has not issued a formal order since 5.5.99. The respondents are threatening the applicant stating that his services would be terminated. Thus the applicant has been harassed.

2. Now on behalf of the respondents, it is brought to our notice that vide letter dated 18/19-10.2000 the superior officer has directed the subordinate officer to give up the idea of terminating the applicant's services. The counsel appearing for the respondents contended that on the basis of this letter, apprehension of the applicant that he would be terminated no longer survives. However, the counsel for the applicant submits that so far no formal appointment order has been issued. It is unthinkable to allow the applicant to join duties without any formal appointment order. In fact, joining of duties should be preceded by a formal appointment order. In this view of the matter, we think it appropriate to dispose of this applicat as under:-

"Application is disposed of with a direction to the respondents to issue a formal appointment order to the applicant as per rules."


(N.P.NAWANI)

Adm. Member


(B.S.RAIKOTE)

Vice Chairmen