

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

DATE OF ORDER : 12-4-2002

OA 332/2000

Mahendra Kumar Chauhan son of Shri Mohan Lal aged about 34 years resident of Gopal Ji Ka Mohhala, C/o Flour Mill, Near School, BeawAR (Rajasthan), aspirant for the appointment on the post of EDBPM, Sendaria FDBO (Beawar Head Post Office)

....Applicant.

VERSUS

1. Union of India through Secretary to the Government of India, Department of Posts, Ministry of Communications, Dak Bhawan, New Delhi.
2. Post Master General, Rajasthan Southern Region, Ajmer.
3. Superintendent of Post Offices, Beawar Postal Division, Beawar )

....Respondents.

For the Applicant :

Mr. C.B. Sharma

For the Respondents

Mr.N.C. Goyal and Mr. D.K. Swamy

Proxy counsel for Mr. Bhanwar Bagri.

CORAM

Hon'ble Mr. A.P. Nagrath, Member (Administrative)

Hon'ble Mr. J.K. Kaushik, Member (Judicial)

ORDER

PER HON'BLE MR. J.K. KAUSHIK, MEMBER (JUDICIAL)

Shri Mahendra Kumar Chauhan has filed this OA u/s 19 of the Administrative Tribunal's Act, 1985 for seeking a

direction to the respondents to handover the charge of the post of EDBPM, Sendaria Branch Office Beawar and also to issue formal order of appointment in favour of the applicant with all consequential benefits.

2. The brief facts of the case are on fulfilling the eligibility condition, the applicant was selected for appointment to the post of EDBPM, Sendaria Branch Office, Beawar vide order dated 2.8.99 (Annexure A/1). He was asked to fulfill the relevant forms. He completed the formalities and was selected and empanelled but he was not given appointment. Hence this application.

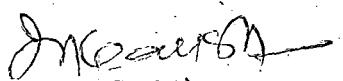
3. Show cause notices were issued on 4.8.2000 and the respondents were directed to file the reply to the OA. The respondents have filed the reply to the OA and they have taken a ground that one Shri Ghanshyam Das Bhatt has filed an OA before this Tribunal and matter is subjudice before the Hon'ble Tribunal and it is for this reason that formal appointment order was not issued. The applicant should await of the result of that OA. Further the matter has been referred to the Post Master General, Ajmer for scrutiny of the applicant, who did not <sup>find</sup> ~~found~~ the applicant eligible against the post of EDBPM, Sendaria Branch Office, Beawar.

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

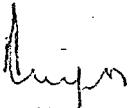
5. One Shri Ghanshyam Das Bhatt has filed an OA No. 538/99 before this Tribunal and has challenged the very appointment/selection of the applicant. Both the cases were heard today and the case of Shri Ghanshyam Das Bhatt has been allowed and the selection/appointment of Shri Mahendra Kumar Chauhan has been quashed. Shri Mahendra Kumar Chauhan, applicant in the present OA, was a respondent no. 5 in the OA filed by Shri Ghanshyam Das Bhatt. Thus the present OA does

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not survive and the same is hereby rejected accordingly with no order as to costs.

  
(J.K. KAUSHIK)

Member (J)

  
(A.P. Nagrath)

Member (A)