

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

OA 82/2002

DATE OF ORDER : 18.11.2002

Prahalad Sahaya Sharma son of Shri Ram Karan Sharma aged 32 years, resident of Mokhampura, Tehsil Dudu, District Jaipur.  
...Applicant.

VERSUS

1. Union of India through the Secretary Ministry of Communication, Department of Post, Dak Bhawan, New Delhi.
2. Chief Postmaster General, Department of Post, Jaipur.
3. Superintendent of Post Office, Jaipur Mofussil Division, Jaipur.

....Respondents.

None present for the applicant.

Mr. N.C. Goyal, counsel for the respondents.

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Hon'ble Mr. G.C. Srivastava, Member (Administrative)

Hon'ble Mr. M.L. Chauhan, Member (Judicial)

ORDER (ORAL)

PER HON'BLE MR. G.C. SRIVASTAVA, MEMBER (ADMINISTRATIVE)

In this OA, the applicant is aggrieved on account of inaction ~~of~~ the respondents in respect of his appointment on the post of Dak Pal and has prayed for the following reliefs :-

It is, therefore, respectfully prayed that this Original Application may kindly be allowed and the action of the respondents in issuing further advertisement for the appointment on the post of Dakpal i.e. Annexure A/2 may kindly be quashed and set aside and further respondents be directed to dispose of the earlier advertisement issued for the same post, respondents be further directed to give appointment on the post of Dakpal to the applicant being only single applicant whose application is pending.

Any other order deem fit and proper may be passed in favour of the applicant and cost may also be awarded in favour of the applicant.


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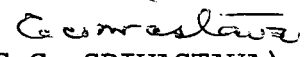
2. The respondents have contested the OA and have filed detailed reply stating, inter-alia, that Panchayat Sanchar Sewa Yojana was introduced with effect from 30.9.95 to provide basic postal facilities to Gram Panchayat Headquarters where still no postal service is available. This Scheme is to be implemented by Gram Panchayat through an agent appointed by them. The Gram Panchayat shall appoint a Sanchar Sewa Kendra Agent with written consent of the concerned Superintendent of Post Offices. Accordingly all the Sarpanch Gram Panchayats with post offices were addressed in 1998 under this Scheme. The application for appointment as Sanchar Sewa Kendra Agent was received from the applicant. However, as the Sanchar Kendra Agents is to be appointed by the Sarpanch, his application was sent to the Sarpanch under intimation to him vide office letter dated 9.10.98. However, no application was received from Sarpanch Mokhampura for opening of Panchayat Sanchar Sewa Kendra. In pursuance of the Chief PMG, Jaipur letter dated 9.1.2002, an EDBPO was opened at Village Mokhampura on 31.1.2002 with one post of Gramin Dak Sewak Branch Postmaster. For appointment of Gramin Dak Sewak Branch Postmaster Mokhampura an open advertisement was issued on 15.1.2002, addressed to Employment Exchange, Jaipur. The said post was reserved for Scheduled caste community as per Roster Point and the recruitment is under process. The applicant has filed this OA before this Tribunal where as no application of the applicant is pending in their office. The respondents have stated that a notice dated 14.3.2002 has been issued to them by the applicant stating that appointment, if any, made by them is subject to the ultimate decision of this OA. They have further contended that as advertisement of 1998 is concerned, no action is called for ~~since~~ no request received to open post office. As far as second advertisement dated 15.1.2002 is concerned, the post is reserved for SC category and the applicant belongs to General category. He has also not applied for the same. Therefore, the question of considering the application of the applicant for appointment does not arise. According to them, the OA is ~~clearly~~ misconceived and deserves to be dismissed.

3. We have considered the rival claims of both the parties. We are of the considered view that, the applicant

belongs to General Category and has not applied for the post of FDBPM in pursuance of the advertisement dated 15.1.2002, there is no question ~~of his being in any way aggrieved~~ by any action of the respondents. Accordingly, the OA has no merit and is dismissed.

4. The interim stay granted vide order dated 14.3.2002 is hereby vacated.

  
(M.L. CHAUHAN)  
MEMBER (J)

  
(G.C. SRIVASTAVA)  
MEMBER (A)

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