

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 13 of 2002

Jabalpur, this the 10th day of July 2003.

Hon'ble Mr. D.C. Verma, Vice Chairman (Judicial)
Hon'ble Mr. Anand Kumar Bhatt, Administrative Member

Sukhlal Dudwe aged about 19 years
S/o Shri Bainga Singh Dudwe
R/o Village Bavadiyakhal
Post - Veerpur Kolar (Bilkisganj)
Teh. - Ichhvar Dist - Sehore (M.P.)

APPLICANT

(By Advocate - None)

VERSUS

1. Union of India Through Secretary
M/o Communication D/o Posts
Dakbhawan, Sansad Marg, New Delhi.

2. Supdt. of Post Offices
Sehore postal Division
Sehore (MP)

RESPONDENTS

(By Advocate - Shri S.C. Sharma for Shri P. Shankaran)

ORDER (ORAL)

By D.C. Verma, Vice Chairman (Judicial) -

None for the applicant. As the counsel for the applicant has not appeared on the previous date also, we are deciding the case on merits under Rule 15(1) of CAT (Procedure) Rules. An interim relief was also granted vide order dated 22/03/2002, that any appointment made in pursuance to order dated 29/11/2001 will be subject to the final outcome of the OA.

2. By this Original Application the applicant claimed quashing of the appointment letter dated 29/11/2001 issued in favour of Lakhan Lal Vishwakarma and has also prayed that another appointment letter be issued in applicant's favour.



3. The claim of the applicant is that he belongs to Scheduled Tribe category and that he forwarded his application in response to the advertisement asking for filling up the vacancy of Extra Departmental Branch Post Master for Veerpur Kolar under Tehsil Ichharvar, Distt. Sehore. The respondents appointed one Shri Lakhan Lal Vishwakarma, who is the resident of Brijesh-nagar area and the said place does not come within the delivery area of Veerpur Kolar post office. The person who was appointed was not belonging to SC/ST, whereas the applicant is ST and is permanent resident of the area where the appointment was to be made.

4. On the other hand the respondents has made a preliminary objection that the applicant has not impleaded Shri Lakhan Lal Vishwakarma who is a necessary party, as applicant is challenging his appointment. On this ground alone the OA is liable to be dismissed. The further submission is that the applicant has not filed any document in support of his claim that he has residential property/landed property or any alternative independent source of income. With regard to Lakhan Lal Vishwakarma the reply states that he belongs to OBC and fulfills all the conditions and have produced the necessary documents which were verified by the authorities for the correctness of his selection. Lakhan Lal Vishwakarma has also secured higher marks in the High School among SC/ST/OBC candidates as per tabulation sheet Annexure R/3, hence he was selected/appointed.

5. The learned counsel for the respondents has

(Signature)

not find any merit in this case. OA is therefore dismissed. Costs easy.

Amrit

(Anand Kumar Bhatt)
Administrative Member

D.C. Verma

(D.C. Verma)
Vice Chairman (J)

पृष्ठांकन सं. ओ/वा..... जबलपुर, दि.....
पत्रिलिपि अवैरित:-

(1) सदिक, उत्तर लाला, जबलपुर
(2) गावेश्वर "SA"
(3) प्रसादी श्री/श्रीमती/वा..... के काउंसल P.S. Prasad (J) - A
(4) वंथपत्र, के राज. निकाल, जबलपुर
रूचना एवं आवश्यक कागदेकाही दिन
P. Shanmukan - Ad

Z.L.
मा. रजिस्ट्रर 15-7-63

Issued
On 15.7.63
By