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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA No.2685/2003

New Delhi, this the 11th day of November, 2003

Hon'ble Shri Shanker Raju, Member (J)

Anil Kumar Mishra,  
s/o Shri Phulwari Lal Mishra,  
Ex-GDS Branch Post Master Lodhamai,  
Via Mirechi Distt. Etah. ...Applicant

(By Advocate: Shri D.P. Sharma)

Versus

1. Union of India through  
Secretary,  
Ministry of Communication and I.T.  
Department of Posts, Dal Bhawan,  
Sansad Marg, New Delhi.
2. The Director Postal Services,  
O/O the Postmaster General,  
Agra Region-Agra.
3. The Superintendent Postoffices,  
Etah Division, Etah. ...Respondents

(By Advocate: None)

ORDER (ORAL)

Heard the learned counsel for the applicant  
Shri D.P. Sharma.

2. Applicant's appointment was provisional subject to culmination of disciplinary proceedings against one Shri Dhanpal Shah, EDBPM, who was to put back in service after exhausting all remedies. In my considered view the applicant has no rightful claim for regularisation as EDBPM. However, keeping in view the decision of the Apex Court in Union of India & Ors. vs. Debika Guha & Ors., 2000(2)SCSLJ 132, it is for the department to consider the claim of EDP employees, who have worked for a long period, for absorption.



3. As the representation preferred by the applicant has not yet been responded to, the present OA is disposed of with a direction to the respondents to consider the present OA as a representation of the applicant and consider his request for regularisation in the light the decision of the Apex Court rendered in the case of Debika Gua & Ors (supra) by passing a detailed and speaking order within two months from the date of receipt of a copy of this order. No costs

S. Raju

(Shankar Raju)  
Member (J)

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