

SUPREME COURT OF INDIA

Mannu Prasad Singh

Vs.

Union of India

C.A.No.9077 of 2017

(Kurian Joseph and R.Banumathi,JJ.,)

14.07.2017

JUDGMENT

Kurian Joseph,J.,

SLP(Civil)No.25435 of 2008

1. Leave granted.
2. The matter pertains to the appointment of an Extra Department Branch Post Master in the year 2001. According to the appellant, he has been continuing in service ever since 2001. The dispute is between the appellant and Respondent No. 4.
3. It appears that despite several efforts, Respondent No. 4 could not be served. Be that as it may, the Central Administrative Tribunal has directed the Union of India to reconsider the matter of selection.
4. We make it clear that in the process of reconsideration, the appellant as well as Respondent No. 4 shall be afforded an opportunity of hearing. In case Respondent No. 4 does not turn up for the hearing, it will be treated for all purposes that the appellant had been appointed validly and he would be continuing as per rules.
5. However, we make it clear that in the process of reconsideration, all the contentions raised by the appellant shall be looked into. We also make it clear that in the fresh consideration as per the directions of the Central Administrative Tribunal, notice needs to be issued to the appellant and the fourth respondent only.
6. Needless also to say that the reconsideration shall be made untrammelled by any observations and findings of the Central Administrative Tribunal.
7. With the above observations and directions, this appeal is disposed of with no order as to costs.

8. Since we have disposed of the appeal, the order dated 02.09.2016 for deposit of costs of Rs. 5,000/- is recalled.