

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 180/00538/2020

Tuesday, this the 24th day of November, 2020

CORAM:

Hon'ble Mr. P.Madhavan, Judicial Member
Hon'ble Mr.K.V.Eapen, Administrative Member

Vijayalakshmi K
 Wife of Venugopalan
 Aged 44 years
 Part-time Sweeper-cum-Scavenger cum Water Carrier
 Manarkkad Post Office
 Ottapalam Division
 Palakkad residing at Pallathu House
 Pottasery, Palakkad- 678 598 **Applicant**

(By Advocate : Mrs.Rekha Vasudevan)

V e r s u s

1. Union of India
 Represented by Secretary to Government of India
 Ministry of Communications and IT
 Department of Posts
 New Delhi – 110 001
2. The Chief Postmaster General
 Department of Post,
 Kerala Circle
 Thiruvananthapuram, Kerala – 695 003
3. The Superintendent of Post Offices
 Ottapalam Division
 Shornur P.O
 Ottapalam – 679 121 **Respondents**

(By Advocate : Mr.A.S.Brijesh, ACGSC)

This application having been heard through video conference on 24.11.2020, the Tribunal on the same day delivered the following:

O R D E R (ORAL)

Hon'ble Mr. P.Madhavan, Judicial Member –

The applicant is aggrieved by the inaction on the part of 3rd respondent to consider her for appointment to the post of Gramin Dak Sevak by granting her preference as provided in the Annexure A2 instructions. In spite of her satisfying the eligibility criteria and proper representation before the authorities seeking the benefits thereof, she was not considered. Since the present vacancy available in the post of GDS Mail Packer, Pottassery is likely to be notified for filling up from open market, overlooking the applicant's claim, the applicant has approached this Tribunal praying for the following reliefs:

“I. Declare that the applicant herein is fully entitled to be extended preference in appointment to the vacancy in the post of Gramin Dak Sevak Mail Packer at Pottassery Post Office.

II. Direct the 3rd respondent to extend the preference in appointment to the post of Gramin Dak Sevak Mail Packer at Pottassery Post Office as stipulated in Annexure A2 instructions and to appoint the applicant against the said vacancy.

III. Direct the 3rd respondent to consider and pass orders on Annexure A6 representation before filling up the vacancy in the post of Gramin Dak Sevak Mail Packer at Pottassery Post from open market.

IV. Such other relief as may be prayed for and this Honourable Tribunal may deem fit to grant.

V. Grant the cost of this Original Application. “

2. When the matter came up for consideration, counsel for the applicant has produced a copy of the fresh representation as Annexure A-8. Counsel

for the applicant submits that the applicant will be satisfied if her Annexure A-8 representation is considered in the light of Annexure A-2 letter issued by the Director General of Post and also on the basis of Annexure A-3 order passed by this Tribunal in O.A No.109/2010. Counsel for the respondents has no objection for the same.

3. In view of the limited submission, we hereby direct the third respondent to consider Annexure A-8 representation in the light of relevant rules and regulations on the subject and in the light of Annexure A-2 letter and A-3 order passed by this Tribunal and pass a reasoned and speaking order within a period of three months from the date of receipt of a copy of this order.

4. The O.A is disposed of as above. No costs.

(K.V.EAPEN)
ADMINISTRATIVE MEMBER

(P.MADHAVAN)
JUDICIAL MEMBER

SV

List of Annexures

Annexure A1 : True copy of the order no.PT 8/2000-01 dated 21.9.2000 issued by the Sub Postmaster LSG, Manarkad.

Annexure A2 : True copy of letter no.17-141/88-EDC & Trg dated 06.06.88 issued by the Director General of Post

Annexure A3 : True copy of the order dated 7.6.2010 in O.A 109/2010 of this Tribunal

Annexure A4 : True copy of the representation dated June, 2012 submitted by the applicant to the Postmaster, Manarkad MDG

Annexure A5 : True copy of the representation dated 17.7.2019 submitted by the applicant to the 3rd respondent

Annexure A6 : True copy of the representation dated 15.9.2020 submitted by the applicant to the 3rd respondent along with the acknowledgment card

Annexure A7 : True copy of the relevant page of the SSLC book of the applicant.

Annexure A8 : True copy of the representation dated 2.11.2020 submitted by the applicant to the 3rd respondent along with the Track Consignment Report downloaded from the website of India Post.

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