

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A No. 180/00615/2020

Thursday, this the 3rd day of June, 2021.

CORAM:

**HON'BLE Mr. P. MADHAVAN, JUDICIAL MEMBER
HON'BLE Mr. K.V. EAPEN, ADMINISTRATIVE MEMBER**

Likesh E., aged 32 years,
S/o. Shri Kunhikannan,
Multi-Tasking Staff,
Office of the Superintendent of Post Offices,
Vadakara, Kozhikode District – 673 101.
Residing at Nellyullaparambath House,
Kodiyara (P.O.), Kallachi, Kozhikode District – 673 506. - Applicant

[By Advocate : Mr. O.V. Radhakrishnan, Senior
Mrs. K. Radhamani Amma
Mr. Antony Mukkath]

Versus

1. Superintendent,
RMS 'CT' Division, Kozhikode – 673 032.
2. Post Master General,
Northern Region, Kozhikode.
3. Chief Postmaster General,
Kerala Circle, Thiruvananthapuram – 695 001.
4. Director General Post,
Dak Bhavan, Sansad Marg,
New Delhi – 110 001.
5. Union of India, represented by its Secretary,
Ministry of Communications, Department of Posts,
New Delhi – 110 001. - Respondents

[By Advocate : Mr. N. Anilkumar, SCGSC.]

The application having been heard on 03.06.2021, the Tribunal on the same day delivered the following:

ORDER

Per: Mr. P. Madhavan, Judicial Member

The applicant filed this O.A seeking the following reliefs:-

“i. to declare that respondents are legally obliged to fill up all the vacancies of Postal Assistant/Sorting Assistant arose during the period

from 01.01.2019 to 31.12.2019 under the Kerala Postal Circle by preparing Combined Merit List of all those candidates who are not allocated to their respective parent Unit/Division at Circle level for allocation of Unit/Division to the extent of available vacancy as mandated by Annexure A-3 executive order and carrying forwarding the vacancies of the year 2019 to 2020 in spite of the availability of the qualified candidates under the Kerala Postal Circle is illegal, arbitrary and is violative of Annexure A-3 Government order and consequent denial of appointment to persons like the applicant is violative of Articles 14 and 16(1) of the Constitution of India.

ii) to issue appropriate direction or order directing the respondents to prepare and publish a Combined Merit List of Postal Assistant/Sorting Assistant, at Circle level for all those candidates, who are not allocated to their respective parent Unit/Division at the Circle level for allocation of Unit/Division to the extent of available vacancies for the year 2019 as directed in Annexure A-3.

iii) to issue appropriate direction or order directing the respondents to fill up 21 left out vacancies in the cadre of Postal Assistant/Sorting Assistant of the year 2019 shown in Annexure A-6 by appointing candidates included in the Combined Merit List to be prepared in accordance with Annexure A-3 within a time-frame that may be fixed by this Hon'ble Tribunal.

iv) to issue appropriate direction or order, directing the respondents to fill up the entire vacancies in the cadre of Postal Assistant/Sorting Assistant of the year 2019 under the Kerala Postal Division without carrying forward of those vacancies of the year 2019 to 2020 within a time-frame that may be fixed by this Hon'ble Tribunal.

v) to issue appropriate direction or order, directing the respondents to fill up the 3 unfilled vacancies of the year 2019 under the RMS 'CT' Division within a time-frame that may be fixed by this Hon'ble Tribunal."

2. When the matter came up for consideration, learned counsel for the applicant prays for permitting the applicant to withdraw the O.A, as the grievance of the applicant is already settled.

3. Learned counsel for the respondents present.

4. In view of the above submission, the O.A is dismissed as withdrawn. No order as to costs.

(Dated, 3rd June, 2021.)

(K.V. EAPEN)
ADMINISTRATIVE MEMBER

(P. MADHAVAN)
JUDICIAL MEMBER

Applicant's Annexures

- Annexure A-1 - Photocopy of the Memo No. A9/2013-2014 dated 06.07.2013 of the Postmaster, Vadakara Head Post Office, Vadakara.
- Annexure A-2 - Photocopy of the Recruitment Rules, 2015, Department of Posts (Postal) Assistants and Sorting Assistants Group C Non-Gazetted) Notification G.S.R 411 (E) dated 21.05.2015.
- Annexure A-3 - Photocopy of the notification No. F.No. 04-08/2019-SPN-I dated 26.07.2019 Government of India, Ministry of Communications, Department of Posts.
- Annexure A-4 - Photocopy of the Notification No. Rectt/10-3/2019 dated 05.08.2019 with Annexure II published by the 3rd Respondent.
- Annexure A-5 - Photocopy of the Notification No. Rectt/10-3/2019 dated 28.01.2020 along with relevant pages of Annexure A-1 in respect of Vadakara Division and RMS CT Division.
- Annexure A-6 - Photocopy of the Notification No. Rectt/10-3/2020 dated 09.10.2020 of the Assistant Director (Estt.&Rect.), Thiruvananthapuram.
- Annexure A-7 - Photocopy of the Notification No. Rectt/10-3/2019 dated 06.11.2020 with Annexure-I of the Assistant Director (Estt.&Rect.), Thiruvananthapuram.
- Annexure A-8 - Photocopy of the Notification No. Rectt/10-3/2019 dated 06.11.2020 with Annexure-1, Annexure A and Annexure B of the 3rd respondent.
- Annexure A-9 - Photocopy of the Application dated 16.11.2020 submitted by the applicant to the Information Officer, SRM RMS CT Division, Calicut with English Translation.
- Annexure A-10 - Photocopy of the reply No. DS/RTI/SRM/NOV-3 dated 25.11.2020 of the Superintendent & CPIO, Calicut.

Annexures of Respondents

- Annexure R-1 - True copy of detailed calculation sheet showing the vacancy position for the year 2020 LGO examination prepared by RMS CT Division.
- Annexure R-2 - True copy of letter No. B11/SA-VAC/2019 dated 29.06.2020.

- Annexure R-3 - True copy of calculation of vacancy position re-assessed by the 1st respondent.
- Annexure R-4 - True copy of letter No. B11/SA-VAC/2019 dated 15.10.2020.
- Annexure R-5 - True copy of letter No. B11/SA-VAC/2019 dated 03.06.2019.
