

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A. No.417/95

Tuesday this the 18th day of April, 1995

CORAM:

HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR.P.V.VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

C.Chellappan,  
Inspector of Post Offices,  
Kollam North Sub Division,  
Kundara(Sree Vijaya, No.5 NCC Nagar,  
Thiruvananthapuram-5).

..Applicant

(By Advocate Mr.M.R.Rajendran Nair)

vs.

1. Director General of Posts, New Delhi.
2. Chief Postmaster General, Kerala Circle,  
Thiruvananthapuram.

..Respondents

(By Advocate Mr.S.Radhakrishnan,ACGSC)

ORDER

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN:

Applicant seeks a declaration that he is entitled to be appointed to a Group 'B' post.

2. For a similar declaration he had approached this Tribunal earlier by O.A.1609/94 and we directed 1st respondent:

"to pass a reasoned order on A3 (representation) within two months from today."

Pursuant to that direction, A7 order was passed and it states:

"....vacancy of PS/PM Gr.'B' has already been filled by a S.C.candidate who had secured higher marks than yourselves (?)."

3. Nothing could be more cryptic than the order passed. It does not say who the candidate is, his name or identity (except his community), what the marks are and so on.


....2


We regret to say that the 1st respondent has resorted to a mindless exercise making it necessary for applicant to come to this Tribunal again.

4. We granted time to Standing Counsel to find out who the candidate with higher marks was and what the marks were. Three weeks plus, was not long enough to activate respondents. We do not think we would be justified in prolonging matters and causing delay, particularly when anxiety has been voiced about the delay in disposal of cases in several quarters. We have in mind a question asked in the Parliament regarding "tardy disposals", forwarded to us by the Union of India, which itself has been the cause for delay in this and many other cases.

5. We quash A7 and allow the application with costs which we fix at Rs.500/- (Rupees five hundred). First respondent will pass a reasoned order stating the facts supporting his conclusion in intelligible terms within six weeks from today. We counsel 1st respondent to adhere to the time limit, as failure to do so will be disobedience of the orders of this Tribunal.

Dated the 18th day of April, 1995.

  
P.V.VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER

  
CHETTUR SANKARAN NAIR(J)  
VICE CHAIRMAN

List of Annexures

- Annexure-A3: True copy of the representation dated 26.9.1994 submitted by the applicant to the 1st respondent.
- Annexure-A7: True copy of the order No.16/7/92/DE dated 3.2.1995 issued by Assistant Director General(DE) Department of Posts, New Delhi.