

CENTRAL ADMINISTRATIVE TRIBUNAL : ERNAKULAM BENCH

Dated Wednesday the second day of August,
One thousand, nine hundred and eighty nine.

Present

Hon'ble Shri NV Krishnan, Administrative Member
and

Hon'ble Shri N Dharmadan, Judicial Member

Registration No. OA 426/89

N Appukuttan Nadar : Applicant

Vs

- 1 The Superintendent
Postal Stores Depot
Trivandrum 695 023.
 - 2 Postmaster General
Kerala Circle, Trivandrum.
 - 3 Director General
Department of Posts, New Delhi.
 - 4 Union of India rep. by
the Secretary, Ministry of
Communications, New Delhi : Respondents
- Mr G Sasidharan Chempazhanthiyil : Counsel of Applicant
- Mr PVM Nambiar, Sr CGSC : Counsel of Respondents

ORDER

Shri NV Krishnan, Administrative Member

In this application, the applicant has challenged the order dated 4.4.89 (Annexure-IX), which is a notice issued by Respondent-1 stating that it is proposed to fill up a vacancy of one Group D in the Postal Stores Depot, Trivandrum by selection from the contingent employees of the Postal Stores Depot. The claim of the applicant is that the vacancy has arisen as a result of one Shri M Samuel, Test Category Official quitting the Department. According to the applicant, the consequential

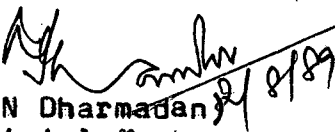
vacancy should be filled up in accordance with the letter dated 17.5.89 (Annexure-X). The first priority should be given to the NTC Group D officials, then to the EDAs of the same Division and then to the casual labourers. If this procedure is followed, it is claimed that the applicant stands a chance of getting appointed to the Group D post. It is contended that the procedure ~~is~~ being followed by the issue of Annexure IX notice is irregular.

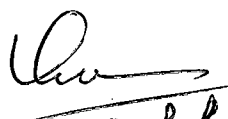
2 The applicant also relies ^{on} the letter dated 27.2.85 (Annexure IV) whereunder, he was informed that he would be absorbed in Group-D post as and when vacancies arise. The applicant, therefore, prays that the Annexure IX notice should be strucked down and the Respondents should be directed to follow the ^{U correct} procedure.

3 We have heard the Sr CGSC. He is not in a position to concede anything stated in the application. In the interest of justice, after hearing the applicant and perusing the records, we are of the view that the applicant should be permitted to send a fresh representation to the Post Master General, Kerala Circle, Trivandrum within a period of two weeks from to-day stating all the grounds on which he relies. In that event, Respondent-2 will dispose of that application within a period of 6 weeks from the date of its receipt and send to the applicant a considered reply in regard to his claims. In the

U meanwhile, a Group D post may be kept reserved so
if the representation is allowed
that the applicant's claim to that post can be
considered alongwith others who are eligible in
accordance with the rules in force.

4 With the aforesaid directions, the application
is disposed of.


(N Dharmadan)
Judicial Member
2.8.89


(NV Krishnan)
Administrative Member
2.8.89