

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 44 of 1992

DATE OF DECISION 27-4-1992

Mr M Vincent Applicant (s)

Mr Thomas Mathew Advocate for the Applicant (s)

Versus

Assistant Superintendent of Post Offices, Trivandrum & another Respondent (s)

Mr George Joseph, ACGSC Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. SP MUKERJI, VICE CHAIRMAN

&

The Hon'ble Mr. AV HARIDASAN, JUDICIAL MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. To be circulated to all Benches of the Tribunal ?

JUDGEMENT

(Mr SP Mukerji, Vice Chairman)

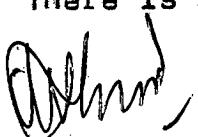
In this application dated 5.1.1992, the applicant who is stated to have been working on a provisional basis as E.O. Letter Box Peon, Trivandrum Fort Post Office has prayed that the respondents be directed to consider him also for regular appointment to the post. He has also challenged the impugned notification dated 10.12.1991 at Annexure-A3 inviting applications for the aforesaid post, on the ground that contrary to the prescribed qualification of being able to read and write the regional languages and simple arithmetic, the educational

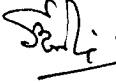
qualification ^{specified} ~~satisfactory~~ in the notice is that of SSLC. He has challenged the age limits ^{as} ~~also~~ indicated in the said notice.

The learned counsel for the respondents has filed a counter affidavit with a copy to the learned counsel for the applicant. When the case came up for hearing today, the learned counsel for the respondents by referring to the counter affidavit indicated that the selection process has not yet been completed, but as and when the selection is made the applicant also will be considered. The learned counsel for the applicant is satisfied with this assurance.

2. Accordingly, we dispose of this application with the direction to the respondent-1 to consider the applicant also along with other candidates for regular appointment to the post ^{if} ~~even if~~ he is not sponsored by the Employment Exchange but ^{only} of E.O.L.B.P., Trivandrum Fort Post Office, if he is otherwise eligible, by taking into account his past experience as E.O.L.B.Pon. We also direct that the applicant should not be disturbed from his present assignment till the post is filled by a regularly selected person and that the termination of his appointment, if necessary, should be ^{only} in accordance with law.

3. There is no order as to costs.


(AV HARIDASAN)
JUDICIAL MEMBER


27.4.92
(SP MUKERJI)
VICE CHAIRMAN

27-4-1992

trs