

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH  
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OA Nos. 178/2002 and 442/2002

Tuesday, this the 29th day of October, 2002.

CORAM :

HON'BLE SHRI A.V. HARIDASAN, VICE CHAIRMAN  
HON'BLE SHRI T.N.T. NAYAR, ADMINISTRATIVE MEMBER

OA 178/2002

1. R. Sudhakaran,  
Extra Departmental,  
Mail Man, Head Record Office,  
Trivandrum.
2. K. Surendran,  
Extra Departmental Mail Man,  
Head Record Office,  
Trivandrum.

Applicants

( By Advocate Mr. Siby J. Monippally )

Vs

1. Union of India rep. by  
The Chief Post Master General,  
Trivandrum.
2. Senior Superintendent of Railway,  
Mail Service,  
Trivandrum.

Respondents

( By Mr. C. Rajendran, SCGSC )

OA 442/2002

S. Krishnan,  
Group D(Officiating),  
Head Record Office,  
Railway Mail Service,  
Trivandrum.

Applicant

( By Mr. Siby j. Monippally )

Vs

1. Union of India rep. by  
Chief Post Master General,  
Trivandrum.
2. Senior Superintendent,  
Railway Mail Service,  
Trivandrum Division,  
Trivandrum.

Respondents

( By Mr. C.B. Sreekumar, ACGSC )

The applications having been heard on 29.10.2002, the Tribunal on the same day delivered the following :

ORDER

HON'BLE SHRI A.V. HARIDASAN, VICE CHAIRMAN

Two applicants in OA 178/2002 and a single applicant in OA 442/2002 are Senior ED Mail Men officiating as Group D in the RMS, Trivandrum Division. Their grievance is that despite the existing vacancies, the respondents are not filling up the vacancies of Group D in the Trivandrum Division and thereby denying the applicants the appointment on regular basis. The applicants therefore have filed this application for a direction to the respondents to fill up the existing vacancies of Group D in RMS, Trivandrum Division and for a declaration that the applicants are legally entitled to get regularisation as Group D in RMS, Trivandrum Division.

2. The respondents filed reply statement in which they have contended that there was a ban on recruitment. However, when the matter came up for hearing on 11.10.2002, the learned counsel for the respondents submitted that an additional reply statement would be filed regarding the ban on recruitment. Subsequently, an affidavit has been filed on 21.10.2002, in which they have stated that there was no ban on recruitment but only a direction to fill up the vacancies after obtaining clearance by the Screening Committee. It has been made clear in the affidavit that clearance by the Screening Committee have been obtained for filling up of 7 vacancies in Kerala Circle, 3 in Trivandrum Division, 3 in Ernakulam Division and 1 in Calicut Division and the applicants in these cases would be considered for appointment on regular basis in their turn.

3. We have heard the counsel on either side. Now the respondents in the affidavit have stated that 3 posts in Trivandrum Division, 3 posts in Ernakulam Division and 1 post in Calicut Division are identified and allotted for filling up the vacancies and the applicants would be considered for regular appointment in their turn. The counsel on either side agree that the application can now be disposed of directing the respondents to consider the applicants for appointment against vacancies allotted to Trivandrum Division without further delay.

4. In the light of the above submission made by the counsel on either side, both these applications are disposed of directing the respondents to take steps and to consider the applicants for appointment against 3 existing vacancies in Group D in RMS Trivandrum Division as expeditiously as possible at any rate within a period of three months from the date of receipt of a copy of this order. No costs.

Dated the 29th October, 2002.

Sd/-  
(T.N.T.NAYAR)  
ADMINISTRATIVE MEMBER

Sd/-  
(A.V.HARIDASAN)  
VICE CHAIRMAN

APPENDIX

O.A.178/2002 AND O.A.442/2002

Respondents' Annexures:

1. R-1: True copy of the seniority list of GDS MM of RMS TV Division as on 1.7.2000 issued by the 2nd respondent.
2. R-2: True copy of seniority list of GDS MM of RMS TV Division as on 1.1.2001 issued under letter No.B II/III-3 dated 18.5.2001 by the 2nd respondent.
3. R-3: A true copy of the letter No.60-29/98-SPN-I(Pt) dated 4.7.2001 issued by the Department of Posts.
4. R-4: A true copy of the letter No.60-29/98-SPB-I (Pt.II) dated 11.6.2002 of Director General, Department of Posts, New Delhi.
5. R-5: True copy of letter No.Rectt/4-5/2001 dated 28.6.2002.
6. R-6: True copy of letter No.Rectt/4-5/2001 dated 28.6.2002.

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