

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 445 199 2

DATE OF DECISION 10.12.92

G. Sasidharan Nair & V. Somanatha Pillai Applicant (s)

Mr. M.R.Rajendran Nair Advocate for the Applicant (s)

Versus

The Union of India represented by Secretary to Govt., Ministry of Communications, New Delhi and others Respondent (s)

Mr. V. Krishnakumar, ACGSC Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. S.P. Mukerji, Vice Chairman

The Hon'ble Mr. N. Dharmadan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement ? *Y*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. To be circulated to all Benches of the Tribunal? *No*

JUDGEMENT

Mr. N. Dharmadan, Judicial Member

At the time when the case was taken up for final hearing, Shri M.R. Rajendran Nair, learned counsel appearing for the applicants submitted that the case of the second applicant ~~alone survives~~ for consideration. The first applicant has been absorbed in the Department subsequent to the filing of the Original Application and his case need not be considered.

2. According to the learned counsel, the second applicant was also given a posting in the Telegraph Office, Mavelikkara as Messenger w.e.f. 14.5.79 and he is continuing at present in that post on purely temporary and adhoc basis. He also expects further vacancy and appointment in this behalf.

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3. The learned counsel for respondents submitted that by issue of Annexure R-2, the prayer in the application has been satisfied and the application can be closed.
4. The learned counsel for the applicant submitted that while closing the application, his right, if any, for making representation for getting regular appointment in the Telegraph office in which he is working as and when such vacancy arises may be reserved.
5. Having heard learned counsel for both sides, we are satisfied that the interest of justice will be met in this case if we dispose of the application in the light of Annexure R-2 with the observation that the second applicant, if he is so advised, may file representation for getting regular appointment in the Department whenever a vacancy arises in future.
6. The application is accordingly disposed of.
7. There shall not be any order as to costs.

N.D.
10.12.92

(N. Dharmadan)
Judicial Member

S.M.
10.XII.92
(S.P. Mukerji)
Vice Chairman

10.12.92

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