

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.467/07

Friday this the 11th day of January 2008

C O R A M :

**HON'BLE Mrs.SATHI NAIR, VICE CHAIRMAN
HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER**

M.Raghavan,
S/o.Narayanan P.K.,
Working as GDS MD II,
Cheruvannoor – 673 524.
Residing at Parakandy Maethal,
Perampra P.O., Chemoli Road – 673 525.Applicant

(By Advocate Mr.O.V.Radhakrishnan,Sr.)

Versus

1. Superintendent of Post Offices,
Vadakara Division, Vadakara.
2. Post Master General,
Northern Region, Kozhikode.
3. Chief Post Master General,
Kerala Circle, Thiruvananthapuram.
4. Director General of Posts,
Dak Bhavan, New Delhi.
5. Union of India represented by its Secretary,
Ministry of Communications, New Delhi.Respondents

(By Advocate Mr.Varghese P Thomas,ACGSC)

This application having been heard on 11th January 2008 the Tribunal on the same day delivered the following :-

OR D E R

HON'BLE Mrs.SATHI NAIR, VICE CHAIRMAN

The applicant is working as GDS MD, Cheruvannoor and is aggrieved that he has not been appointed in a Group D vacancy even though the vacancy has been existing. The applicant had submitted a representation which was rejected. Hence this O.A.

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2. It is seen from the reply statement filed by the respondents that the applicant had not been considered against the vacancy only because the approval of the Screening Committee has not been received. It is admitted by the respondents that in Annexure A-2 seniority list the position of the applicant is at Serial No.63 and he is the senior most GDS to be considered for selection as Group D. This issue had come up before this Tribunal in several O.As. In our order in O.A.115/04 dated 23.12.2005 the matter regarding clearance from the Departmental Screening Committee had been examined at length and it was held that according to the instructions contained in the Recruitment Rules the method of recruitment of Group D from GDS would not be direct recruitment and it was not necessary to get the clearance of the Screening Committee. This order has been upheld by the Hon'ble High Court in W.P.(C) No.22818/06. Following this order this O.A is allowed. Respondents are directed to consider the applicant for promotion against the vacancy of Group D at Vadakara Division in accordance with the rules within a period of two months from the date of receipt of a copy of this order. No order as to costs.

(Dated this the 11th day of January 2008)


GEORGE PARACKEN
JUDICIAL MEMBER


SATHI NAIR
VICE CHAIRMAN

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