

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.469/2002

Wednesday this the 10th day of July, 2002

CORAM

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

P.S.Radhakrishna Pillai,  
GDS (MP) Peringara Post Office,  
Thiruvalla-689 108, residing  
at Paruthikat House, Peringara PO,  
Thiruvalla,  
Pathanamthitta District.

...Applicant

(By Advocate Mr.K.Ramkumar (through Mr.Sagar)

V.

1. Union of India, represented by the Secretary, Ministry of Communications, Department of Posts, New Delhi.
2. The Superintendent of Post Offices, Thiruvalla Division, Thiruvalla.
3. The Asst.Suptd. of Post Offices, Thiruvalla Postal Sub Division, Thiruvalla.

..Respondents

(By Advocate Mr. C.B. Sreekumar)

The application having been heard on 10.7.2002, the Tribunal on the same day delivered the following:

O R D E R

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

The applicant who claims to have rendered provisional service as GDS (Mail Packer) Peringara Post Office from 3.10.2001 till 10.4.2002 has filed this application praying that it may be declared that the denial of alternative appointment to the applicant is violative of Articles 14, 16 and 21 of the Constitution of India and a for a direction to the respondents to accommodate the applicant in any one of the post offices

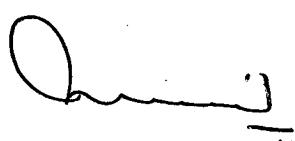
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in the same Postal Division in the post of Gramin Dak Sevak Mail Packer.

2. The claim of the applicant for alternate employment on the ground that he has put in 270 days of service is not based on any rule or instruction. No rule or instruction has been brought to our notice which enables the applicant to claim alternate employment. The extant instructions regarding alternate employment to discharged E.D. Agents is that if the discharged E.D. Agent has put in three years service, his name should be included in a list for providing alternate employment. Since the applicant on his own statement did not have three years service on the date of his discharge, he has no right to claim alternate employment.

3. The application therefore does not disclose a valid cause of action and the same is rejected under Section 19(3) of the Administrative Tribunals Act, 1985.

Dated the 10th day of July, 2002



T.N.T. NAYAR  
ADMINISTRATIVE MEMBER



A.V. HARIDASAN  
VICE CHAIRMAN

(s)

A P P E N D I X

Applicant's Annexures:

1. A-1 : True copy of the representation dated 10.4.2002 submitted by the applicant before R-3.
2. A-2 : True copy of the reminder letter dated 7.5.2002 submitted by the applicant before R-3.

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12.7.02