

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.48/99

Tuesday, this the 11th day of September, 2001.

CORAM;

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

HON'BLE MR T.N.T.NAYAR, ADMINISTRATIVE MEMBER

S.Renganatha Iyer,
Console Operator,
Computer Cell,
O/o Chief Post Master General,
Thiruvananthapuram-33. - Applicant

By Advocate M/s P Santhalingam & Meena John

Vs

1. Union of India represented by
its Secretary,
Ministry of Communications,
New Delhi.
2. Director General(Posts),
New Delhi.
3. The Chief Post Master General,
Kerala Circle,
Thiruvananthapuram.
4. K.Gopalan,
Section Supervisor,
Technical Section1,
presently working as Office Superintendent,
O/o Post Master General,
Thiruvananthapuram. - Respondents

By Advocate Mr Anilkumar, ACGSC (for R.1 to 3)

By Advocate Mr G Sasidharan Chemapazhanthiyil(for R-4)

The application having been heard on 11.9.2001, the Tribunal
on the same day delivered the following:

O R D E R

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

The applicant, a Console Operator in the office of
Chief Post Master General, Thiruvananthapuram, has filed this

application challenging the order dated 18.6.97(A-10) turning down the claim of the applicant for seniority over the 4th respondent and the order dated 18.6.97 (A-11) by which the 4th respondent was promoted as Deputy Office Superintendent and for a direction to the respondents 1 to 3 to fix the seniority of the applicant and to promote him as Deputy Office Superintendent with effect from 1.3.97 and as Office Superintendent with effect from 1.6.97 in the place of the 4th respondent with consequential benefits.

2 The official respondents have filed a detailed reply statement, the 4th respondent has also filed a reply statement and the applicant has filed a rejoinder.

3. When the matter came up for hearing today, learned counsel for all the parties agree that the application may now be disposed of directing the third respondent to take a decision in regard to the seniority and promotion of the applicant vis-a-vis the 4th respondent, in the light of the ruling of the Apex Court in Ajith Singh and others(II) Vs State of Punjab and others, (1999) 7 SCC, 209 and giving the applicant and the 4th respondent opportunities to put forward their claim.

4. In the light of the above submission made by the learned counsel for the parties, we dispose of this application directing the third respondent to take a decision in regard to the seniority and promotion of the applicant vis-a-vis the 4th respondent in the light of the decision of

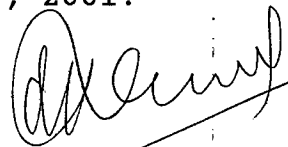
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the Apex Court in Ajith Singh and others(II) Vs State of Punjab and others, (1999) 7 SCC, 209, after affording the applicant and the 4th respondent as also other affected persons, if any, opportunities to make their representations. A decision shall be taken by the third respondent in this regard within a period of three months from the date of receipt of copy of this order. There is no order as to costs.

Dated, the 11th September, 2001.



T.N.T.NAYAR
ADMINISTRATIVE MEMBER



A.V.HARIDASAN
VICE CHAIRMAN

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APPENDIX

1. Annexure-A1 True copy of the circular No.L1/2-21/93 issued by Assistant Post Master General(P.L.I),Trivandrum. dt. 15.10.93.
2. Annexure-A2 True copy of the Office Letter No.L1/2-21/93 dated 16/12/93 issued by the Assistant Postmaster General(P.L.I),Trivandrum
3. Annexure-A3 True copy of the Office Letter No.12(26)/93-TVM dated 24/1/94 issued by Sr.Systems Analyst.
4. Annexure-A4 True copy of the Memo No.L1/2/21/93-94 dated, 18/4/94 issued by Assistant Post Master General.(P.L.I),Trivandrum
5. Annexure-A5 True copy of the Memo No.L1/2-21/93-94 dated, 15/11/94 issued by the Post Master General(P.L.I) Trivandrum
6. Annexure-A6 True copy of the Inspection Report No.Endt.No.AMG (PLI)/O&M/INSPN dated.30/12/94 by Assistant Post Master General(P.L.I),Trivandrum .
7. Annexure-A7 True copy of the Office Letter No.31/3/94/P.E.II dated 12/5/94 issued by Assistant Director General (P..E.II)
8. AnnexureA7a. True copy of Order No.13-28/95-LI.issued by Director(P.L.I) dated 2/8/95
9. Annexure-A8 True copy of the Circle Gradation List of Officials of the Chief Post Master General, Trivandrum & Regional Officer,Cochin&Calicut as on 1/7/89.
10. Annexure-A9 True copy of the representation by the applicant to 3rd respondent dated 9/5/97.
11. AnnexureA10 True copy of the Office Letter No.ST 51/1/91 dated 18/6/97 issued by Assistant Director(Staff), Trivandrum
12. AnnexureA11 True copy of the Office Letter No.ST 51/1/91 dated 18/6/97 issued by Assistant Director(Staff), Trivandrum
13. AnnexureA12. True copy of the Order of Hon'ble C.A.T., Ernakulam,dated 28/1/98.