

O.A.No.475/2004.

**CORAM:**

R.Babu,  
Working as Telegram Messenger,  
Pooyappally Post Office, Kottarakara.      Applicant

**Vs.**

- (By Advocate Shri N.M.James, ACGSC)

O R D E R

The applicant is working as Telegram Messenger, Pooyappally sub Post Office, Kottarakkara. It is averred in the O.A. that he was engaged as Casual Labourer in the same Post Office and is continuing as such from 1.1.2000 onwards. His grievance is that the present incumbent to the post of Gramin Dak Sevak Mail Deliverer-Mail Carrier (GDSMD-MC for short) Kummalloor P.O. under Adichanalloor sub Post Office is retiring and a vacancy would arise towards the end of this month. According to the applicant he is fully qualified and competent to be

considered for the said post. The applicant has not produced any document to show that he was a casual labourer and the learned counsel for the applicant submitted that the department has never issued such a document to him. Aggrieved by the inaction on the part of the respondents in not considering his case he has made a representation dated 13.1.2004 (A5(a)), which is not yet disposed of. Hence, he filed this O.A. seeking the following main reliefs.


- i To declare that applicant is entitled to be treated as a part time casual labourer and to be considered for appointment in the existing vacancy of Gramin Dak Sevak Mail Deliverer/Mail Carrier Kummalloor Post Office in terms of Annexure A3 and A4 instructions.
- ii. to direct the 1st respondent to consider applicant for appointment as GDSMD/MC Kummalloor on the basis of the instructions contained in Annexure A3, treating him as a casual labourer in service.

2. When the matter came up before the Bench, Shri P.C. Sebastian appeared for the applicant and Shri N.M. James, ACGSC took notice for the respondents.

3. Learned counsel for the applicant submitted that the applicant would be satisfied if a limited direction is given to the respondents to consider and dispose of his A-5 representation and pass appropriate orders within a time frame.

4. Learned counsel for the respondents submitted that he has no objection in adopting such a course of action.

5. Therefore, this Court directs the 1st respondent to consider and dispose of A-5 representation and pass appropriate orders within a time frame of two months from the date of receipt of a copy of this order.



6. With an abundant caution the applicant is directed to send a copy of the representation A(5), a copy of the O.A. and a copy of this order to the 1st respondent as early as possible.

7. O.A. is disposed of as above. In the circumstance no order as to costs.

Dated 25th June, 2004.

A handwritten signature in black ink, consisting of a large, stylized 'S' shape with a horizontal line extending to the left and a small loop at the top right.

K.V.SACHIDANANDAN  
JUDICIAL MEMBER

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