

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM

O.A. No. 48 of 1991 1991
TAXXO.

DATE OF DECISION 10-1-1991

Mr. Balakrishnan T Applicant (s)

Mr. OV Radhakrishnan Advocate for the Applicant (s)

Versus

The Sub Divisional Inspector Respondent (s)
Mannarghat and 3 others

Mr. TPM Ibrahim Khan, ACGSC Advocate for the Respondent (s)

CORAM:

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

The Hon'ble Mr. A.V. Haridasan, 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? *Y*
3. Whether their Lordships wish to see the fair copy of the Judgement? *M*
4. To be circulated to all Benches of the Tribunal? *M*

JUDGEMENT

A.V. Haridasan, Judicial Member

The applicant, an unsuccessful candidate to the post of Extra Departmental Delivery Agent-cum-Mail Carrier, Mannampatta has filed this application under Section 19 of the Administrative Tribunals Act challenging the selection of the fourth respondent and his non-selection and for a direction to the respondents to make a proper selection, in accordance with the rules and instructions in regard to the selection of the E.D. Agents. It is averred in the application that though the applicant satisfies all the eligibility criteria for the post and though he

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has obtained higher marks in the SSLC examination, for reasons not known, the fourth respondent has been selected overlooking his superior merit. Dissatisfied with the process, the applicant made a representation to the Chief Post Master General at Annexure A-5 on 18-12-1990. Finding no response and that the fourth respondent who has been selected illegally, according to him, has been appointed to the post, the applicant has filed this application.

2. We have heard the learned counsel for the applicant and also Mr. TPM Ibrahim Khan, the learned counsel for the respondents 1 to 3. After hearing the counsel and going through the records, we are convinced that the application can be disposed of by giving a direction to the Chief Post Master General who is the second respondent in this case, to dispose of the representation of the applicant after giving a notice to the fourth respondent. Accordingly, we admit the application and dispose of the same directing the second respondent to dispose of the Annexure-A.5 representation dated 18-12-1990 made by the applicant, in accordance with law, calling for the relevant records from the authorities concerned and after giving the applicant and respondent-4 opportunities to be heard. The action on the above lines should be completed within a period of two months from the date of communication of this order.