

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**O.A.No.480/07**

Thursday this the 24<sup>th</sup> day of July 2008

**C O R A M :**

**HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER  
HON'BLE Dr.K.S.SUGATHAN, ADMINISTRATIVE MEMBER**

P.N.Krishnan Potty,  
Postman, General Post Office,  
Thiruvananthapuram – 1. ...Applicant

(By Advocate Mr.D.Sajeev & Mr.C.B.Sreekumar)

**Versus**

1. The Chief Post Master General,  
Kerala Circle, Thiruvananthapuram.
2. The Senior Superintendent of Post Offices,  
Thiruvananthapuram North Division,  
Thiruvananthapuram.
3. The Post Master,  
General Post Office,  
Pulimoodu, Thiruvananthapuram – 1.
4. Postal, Telecom, BSNL Employees Co-operative  
Society Ltd. No.1940, Thiruvananthapuram – 1,  
represented by its Secretary.
5. K.S.Jayakumar,  
E.D.Packer, Palkulangara Post Office,  
Palkulangara P.O., Thiruvananthapuram.
6. The Post Master,  
Palkulangara Post Office,  
Palkulangara P.O., Thiruvananthapuram. ...Respondents

(By Advocate Mr.C.M.Nazar,ACGSC [R1-4&6] & Mr.S.Sreekumar [R5])

This application having been heard on 24<sup>th</sup> July 2008 the Tribunal on  
the same day delivered the following :-



.2.

**ORDER**

**HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER**

The applicant has filed this O.A before this Tribunal seeking a direction to the respondents 2 to 4 & 6 to take effective steps for recovery from the salary of the 5<sup>th</sup> respondent and credit the same in the MDS Account Nos.A7/B and A27/6, forthwith. He has also sought direction to the 3<sup>rd</sup> and 4<sup>th</sup> respondents to credit Rs.2750/-, the amount which is deducted from his salary in his loan account with the 4<sup>th</sup> respondent, without appropriating the same in the MDS account of the 5<sup>th</sup> respondent. Further relief sought by the applicant is to direct the 2<sup>nd</sup> respondent to consider and pass order in Annexure A-3 representation and direct the 6<sup>th</sup> respondent to give effect to the certificate of undertaking given by him along with the salary certificate of the 5<sup>th</sup> respondent in order to produce before the 4<sup>th</sup> respondent – Society.

2. The applicant has earlier approached the Hon'ble High Court for the aforesaid relief. However, the Hon'ble High Court has directed the applicant to approach this Tribunal stating that the jurisdiction of the matter will come within the ambit of Section 19 of the Central Administrative Tribunals Act.

3. Thereafter notices was issued to the respondents. The Senior Superintendent of Post Offices, Thiruvananthapuram (2<sup>nd</sup> respondent) has filed an affidavit before this Tribunal stating that he is representing all the respondents except the 5<sup>th</sup> respondent. (It is not known as to how the said

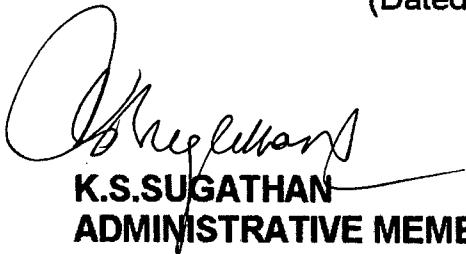


.3.

2<sup>nd</sup> respondent could file an affidavit on behalf of the BSNL Employees Co-operative Society also which is not a Government Department). He has further submitted that the 4<sup>th</sup> respondent is not amenable to the jurisdiction of this Tribunal and therefore this Tribunal cannot entertain this O.A.

4. When the matter came up for hearing today, counsel for the applicant himself sought permission to withdraw the O.A with liberty to approach the appropriate forum. Accordingly, the O.A is dismissed as withdrawn with liberty to applicant to approach the appropriate forum. There shall be no order as to costs.

(Dated this the 24<sup>th</sup> day of July 2008)



K.S. SUGATHAN  
ADMINISTRATIVE MEMBER



GEORGE PARACKEN  
JUDICIAL MEMBER

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