

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No. 490 of 1995

Wednesday this the 12th day of July, 1995.

CORAM

HON'BLE MR. JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR. S.P. BISWAS, ADMINISTRATIVE MEMBER

P. Ramakrishnan,
Inspector of Post Offices,
Payyanur Sub Division.

.... Applicant

(By Advocate Mr. T.A. Shaji)

Vs.

1. The Superintendent of Post
Offices, Cannanore Division,
Kannur.

2. The Chief Post Master General,
Kerala Circle,
Thiruvananthapuram-33.

3. The Director General,
Department of Posts,
New Delhi.1.

4. Union of India, represented by
Secretary, Ministry of Communications,
New Delhi.

.... Respondents

(By Advocate Mr. James Kurien, ACGSC)

ORDER

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

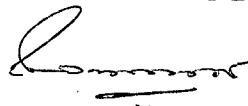
Applicant seeks a declaration that he is eligible to take the examination for appointment of Special Postal Superintendent/Post Master Group 'B' to be held in September, 1995. Five years service in the post of Inspector of Post Offices is a qualification for taking the examination. Admittedly applicant does not have five years service in that category.

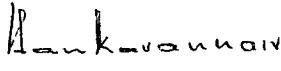
He submits that he must be deemed to have five years service because he was eligible to take the examination for appointment as Inspector of Post Offices/ Inspector of Railway Mail Services in 1987 and he was wrongly denied an opportunity to take the examination.

2. Shri Shaji appearing for applicant raised a contention supported by A14 that applicant was eligible to take the examination for appointment to the post of Inspector of Post Offices/Inspector of Railway Mail Services. The stand of the Department in A13 was that there was no order enabling a person like applicant to take that examination. Shri Shaji has demonstrated the stand to be incorrect with reference to A14. Even this will not help applicant to take the next examination. If he had a grievance that he was denied entrance to the Examination in 1987 he should have raised it at the appropriate time and not in 1992 for the first time. If he is deemed qualified to take the examination for the post of Special Postal Superintendent/Post Master Group 'B' in 1995 there may be many others who could also raise such a contention. That will create difficulties and unsettle the state of affairs.

3. In spite of the persuasive arguments of the learned counsel, we decline relief on the ground of laches and dismiss the application. No costs.

Dated the 12th day of July, 1995.


S.P. BISWAS
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR (J)
VICE CHAIRMAN

List of Annexures

1. Annexure A 13- True copy of communication No.B2/4-14/94 dated 4-10-94 of the first respondent.
2. Annexure A 14- True copy of the office memorandum No.O.M.No. 14034/5/81-Estt(D) along with covering letter No.Recct/26-1/81-82 dated Trivandrum-33 the 2-8-1983, issued by the 3rd respondent.