

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No. 490/2001

Tuesday, this the 10th day of July, 2001.

CORAM;

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

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

E.Sajeev Kumar,
S/o N.Kumaran,
"Sree Nilayam"
Edathamana, Mamala.P.O.
Ernakulam District. - Applicant

By Advocate Mr TC Govindaswamy

Vs

1. Union of India represented by the Secretary to Government of India, Ministry of Communications, Department of Posts, New Delhi.
2. The Post Master General, Central Region, Kochi-16.
3. The Sub Divisional Inspector of Post Offices, Tripunithura Division, Tripunithura. - Respondents

By Advocate Mr C Rajendran, SCGSC

The application having been heard on 10.7.2001, the Tribunal on the same day delivered the following:

O R D E R

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

The applicant who has been working as provisional Extra Departmental Delivery Agent (EDDA for short) from 28.2.96, has filed this application for a declaration that he is entitled to be considered for appointment against the

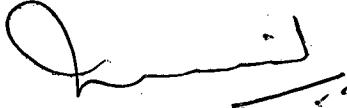
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existing vacancy of EDDA, Kokkappally in preference to direct recruitment and to direct the respondents accordingly, and also to direct the respondents to give alternative appointment to the applicant as EDDA against the existing vacancy in the same Post Office. The claim of the applicant is based on an instruction contained in DG, P&T's letter No.43-4/77.Per. dated 18.5.79 and Circular No.19-34/99-ED& Trg. dated 30.12.99 according to which, the Department has to include the name of ED Agents discharged from service on administrative ground after completion of three years, in a list for the purpose of giving alternative employment. The applicant even going by the averment in the application, does not have three years of continuous service as provisional ED Agent, as it is admitted in para 4(b) that the applicant at the time of discharge, his service was short by 3 days for 3 years. Therefore, apparently the applicant is not entitled to be included in the list even on his own admission. Even if the applicant was to be included in the list for the purpose of alternative appointment, he does not have a claim to be appointed to the post of EDDA, Kokkappally or any other specific post. Those who are included in the list of discharged ED Agents who have completed 3 years of service are entitled to be considered for alternate employment in their turn on the basis of seniority in the list.

2. In the light of what is stated above, we do not find any legitimate cause of action of the applicant which calls

for admission of this application and further deliberation. The application is, therefore, rejected under Section 19(3) of the Administrative Tribunals Acts, 1985.

Dated, the 10th July, 2001.


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

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