

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 494 199 2.

DATE OF DECISION 13.1.93

P.A. Krishnankutty Applicant (s)

Mr. M.R. Rajendran Nair Advocate for the Applicant (s)

Versus

Sr. Supdt. of Post Offices, Respondent (s)
Ernakulam and others

Mr. George Joseph, ACGSC Advocate for the Respondent (s) 1 & 3
Mr. D. Sreekumar, Govt. Pleader for R-2

CORAM :

The Hon'ble Mr. N. Dharmadan, Judicial Member

The Hon'ble Mr. R. Rangarajan, Administrative Member

1. Whether Reporters of local papers may be allowed to see the Judgement? Yes
2. To be referred to the Reporter or not? No
3. Whether their Lordships wish to see the fair copy of the Judgement? No
4. To be circulated to all Benches of the Tribunal? No

JUDGEMENT

Mr. N. Dharmadan, Judicial Member

When the case was taken up for further direction, learned counsel for applicant submitted that this application can be disposed of in the light of the statement in para 12 of the reply. Learned counsel for respondents has no objection in disposing of the same as prayed for by the learned counsel for applicant.

2. Applicant has passed SSLC and is a permanent resident within the delivery area of Vettikkal Post Office. He belongs to a Scheduled Caste community. He has also registered his name with the Employment Exchange, Ernakulam. According to the applicant, he is fully qualified and eligibl

to be considered for regular selection as EDDA at Vettikkal Post Office ~~xxxxxxxxxx~~ on account of his past experience as EDDA, at Vettikkal Post Office for more than 9 months in the year 1985 on a provisional basis. Aggrieved by the refusal of the respondents to consider him for regular selection he has filed this application with the following prayers:

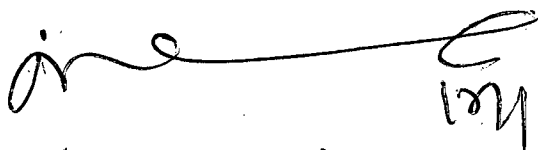
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- i) to declare that applicant is entitled to be considered for regular selection to the post of EDDA, Vettikkal P.O. giving him due weightage to his past service as E.D. Agent and as a candidate belonging to S.C. Community
 - ii) Direct the respondents to consider the applicant for selection as EDDA, Vettikkal P.O. accordingly.
 - iii) Declare that the fixation of the cut off date by the 2nd respondent is illegal.
 - iv) Grant such other reliefs as may be prayed for and the Tribunal may deem fit to grant and
 - v) Grant the cost of this Original Application."

3. At the time when the application was admitted on 27.3.92, we have directed the first respondent to consider the case of the applicant also on a provisional basis for selection to the post of EDDA, Vettikkal P.O. We further directed that the selection proceedings shall not be finalised until the applicant is also considered but the result of the selection shall not be announced without prior permission of the Tribunal.

4. In the reply, respondents have submitted that as per the direction of the Tribunal, the selection proceedings have been finalised and the applicant has also been considered. Hence, nothing survives in this application for further consideration.

6

5. The case of the applicant is that he worked in the same postoffice for a period of nine months and he is fully qualified and eligible to be considered for regular selection giving preference in the light of the Full Bench decision of the Tribunal in O.A. 29/90. Since the result of the selection have not been announced, the application can be disposed of with direction to the first respondent to finalise the selection and take decision in accordance with law. Accordingly, we direct the first respondent to do so.
6. The application is disposed of with the above direction.
7. There shall not be any order as to costs.


(R. Rangarajan)
Administrative Member


(N. Dharmadan)
Judicial Member

13.1.93

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