

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A. NO.1 of 1999.

Monday this the 3rd day of July 2000.

CORAM:

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

HON'BLE MR.G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

Nandakumaran Pillai N,  
Krishnavilasom, Nettayam P.O.,  
Pooyappally, Kollam, Pin: 691537. Applicant

(By Advocate Shri C.S. Ajith Prakash)

Vs.

1. The Assistant Superintendent of  
Post Offices, Kollam.
2. The Chief Postmaster General,  
Kerala Circle, Thiruvananthapuram. Respondents

(By Advocate Shri M. Rajendra Kumar, ACGSC)

(The application having been heard on 3rd July 2000  
the Tribunal on the same day delivered the following:

O R D E R

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

The applicant applied to the post of Part-time Sweeper in the office of the first respondent. Finding that his candidature was not being considered for the reason that his name was not sponsored by the Employment Exchange, he filed this application for a declaration that he is entitled to be considered for selection to the post of Part-time Sweeper, Karinganoor P.O. along with the candidates sponsored by the Employment Exchange and for a direction to the 1st respondent to consider him also in the interview scheduled to be held on 2.1.1999.

2. Pursuant to the interim order issued on 1.1.99 the applicant was also provisionally considered and he has now

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been provisionally selected and appointed. The respondents in their reply statement have stated that since the applicant has already been considered, selected and provisionally appointed, no further grievance of the applicant would subsist. In view of the ruling of the Supreme Court in Excise Superintendent Malkapatnam, Krishna District, Andhra Pradesh Vs. K.B.N. Visweshwara Rao (1996 6 SCC 216), the consideration of the applicant though not sponsored by the Employment Exchange is perfectly in order. Since the applicant having been found more meritorious than the other candidates who have been considered whether sponsored or not by the Employment Exchange, the application can now be disposed of directing the respondents to treat the selection and appointment of the applicant as valid.

3. In the result, the application is disposed of directing the respondents to treat the candidature of the applicant valid and to issue formal orders of appointment pursuant to the selection. No costs.

Dated the 3rd July 2000.

  
G. RAMAKRISHNAN  
ADMINISTRATIVE MEMBER

  
A.V. HARIDASAN  
VICE CHAIRMAN