

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O. A. No. 498  
T.A. No.

1992

DATE OF DECISION 19.8.92

C. Ravindran Applicant (s)

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

Versus

Supdt. of Post Offices, Respondent (s)  
Manjeri and 2 others

Mr. C. Kochunni Nair, ACGSC Advocate for the Respondent (s)<sup>1</sup> & 3  
Mr. D. Sreekumar, GP for R-2

CORAM :

The Hon'ble Mr. P. S. HABEEB MOHAMED, ADMINISTRATIVE MEMBER

The Hon'ble Mr. N. DHARMADAN, JUDICIAL 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

The applicant who has got prior service as EDSPM from 1.8.88 to 29.9.88 filed this application under section 19 of the administrative Tribunals' Act, for a declaration that he is entitled to be considered for selection and appointment as EDSPM, Thazekode West Post Office.

2. At the time when the application came up for admission on 27.3.92 we have considered the interim relief prayed for by the applicant and directed respondents to include the applicant also in the regular selection but not to finalise the selection proceedings until further orders from the Tribunal.

3. The second respondent has filed reply denying the allegations and averments made in the O.A. but admitted that the applicant has also registered his name in the Employment Exchange in the year 1988. and stated that his name

was not sponsored by the second respondent because his registration did not come within the zone of consideration on the basis of date of registration.

4. However, the applicant has asserted that he has been working in the same very post office from 1.8.88 to 29.9.88 and thereafter from 1.11.91 he is continuing till date. The regular incumbent Smt. Geetha was later appointed as postman on 13.1.92 and the applicant's service from that date onwards is provisional and hence he is entitled to consideration when a regular selection is made.

5. Today when the case was taken up for final hearing, learned counsel for applicant as also learned counsel for respondents 1 and 3 submitted that in the regular selection the applicant was found to be suitable person for selection and in all probability, the applicant will be selected for the post if permission is granted to complete the selection proceedings and announce the result.

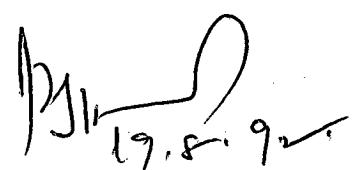
6. Having regard to the facts and circumstances of the case, we are of the view that this application can be closed by directing the first respondent to complete the selection proceedings and make appointment according to the result.

7. Accordingly, the application is closed with the above direction.

8. There will be no order as to costs.

  
19.8.92

(N. Dharmadan)  
Judicial Member

  
19.8.92

(P.S. Habeeb Mohamed)  
Administrative Member

kmm