

**CENTRAL ADMINISTRATIVE TRIBUNAL**

**ERNAKULAM BENCH**

**O.A.No.498/2002**

**Wednesday this the 17th day of July, 2002**

**CORAM**

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

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

Pradeepkumar P  
S/o P.Balakrishnan,  
Pallikkal House, Arikkulam PO,  
Koyilandy.

**..Applicant**

(By Adocate M/s Santhosh & Rajan (by Mr.Godwin)

**V.**

1. Union of India, represented by the  
Secretary to Govt. of India,  
Ministry of Communications,  
New Delhi.

2. Chief Postmaster General,  
Northern Region,  
Nadakkavu, Kozhikode.

**..Respondents**

(By Advocate Mr. T.C. Krishna, ACGSC)

The application having been heard on 17.7.2002, the  
Tribunal on the same day delivered the following:

**O R D E R**

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

Applicant who claims to have been working as a  
substitute of GDS SPM (Gramin Dak Sevak - Sub Post  
Master) Arikkulam P.O. made a representation that he may  
be appointed on a regular basis on the post in the  
vacancy that would arise on 20.8.2002 on the retirement  
of the regular incumbent on that post. His  
representation has not been answered. Alleging that  
having worked for more than 180 days continuously as a  
substitute, he has acquired a right for regular

**Contd....**

appointment the applicant has filed this application for a declaration that he is entitled to be appointed as GDS SPM Arikkulam PO in the retirement vacancy which is to arise on 20.8.2002 and for a direction to the respondents to take into consideration his representations in that regard.

2. Going through the application and the materials placed on record and on hearing Shri Godwin, learned counsel appearing for the applicant and Shri T.C.Krishna, ACGSC appearing for the respondents, we do not find that the applicant has made out a cause of action to invoke the jurisdiction of this Tribunal. No rule, instruction or ruling has been brought to our notice which would enable the applicant to claim a declaration that having worked as a substitute for 180 days or any number of days for that matter a substitute E.D.Agent would be entitled for regular appointment on that post to the exclusion of others.

3. In the light of what is stated above, the application is rejected under Section 19(3) of the Administrative Tribunals Act, 1985.

Dated the 17th day of July, 2002

  
T.N.T. NAYAR  
ADMINISTRATIVE MEMBER

  
A.V. HARIDASAN  
VICE CHAIRMAN

|s|

#### A P P E N D I X

##### Applicant's Annexures:

1. A-1 : True copy of Memo No.83/63 dated 12.2.02 of the 3rd respondent.
2. A-2 : True copy of Memo No.83/63 dated 19.4.02 of the 3rd respondent.
3. A-3 : True copy of applicant's representation dated 22.4.02 addressed to the 2nd respondent.
4. A-4 : True copy of applicant's representation dated 29.5.02 addressed to the 2nd respondent.

\*\*\*\*\*

npp  
24.7.02