

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 499/91
~~XXXXXX~~

189

DATE OF DECISION, 3-1-1992

KS Usha

Applicant (s)

Mr DV Radhakrishnan

Advocate for the Applicant (s)

Versus

Sub Postmaster (LSG)
Chavakkad & others

Respondent (s)

Mrs KB Sughamani

Mr M Ramachandran

Advocate for the Respondent (s) 1-4
Advocate for Respondent-5

CORAM:

The Hon'ble Mr. NV Krishnan, Administrative Member
and

The Hon'ble Mr. N Dharmadan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. To be circulated to all Benches of the Tribunal?

JUDGEMENT

Sh NV Krishnan, A.M

In this application, the applicant has prayed for the following reliefs:

- "(i) to call for the records relating to the selection and appointment of the 5th respondent as Extra Departmental Stamp Vendor, Chavakkad Sub Office and to set aside the same; and
- (ii) to direct the 1st respondent to conduct a fresh selection for appointment to the post of Extra Departmental Stamp Vendor, Chavakkad SO strictly in accordance with law after evaluating the comparative merit and suitability of the applicant and that of the 5th respondent."


2 The respondents were noticed and the respondents 1 to 4 i.e., the Department have filed a reply, in para-2 of which it is stated as follows:

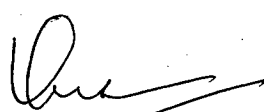
"The case was further reviewed by the Chief Postmaster General, Kerala Circle, Trivandrum and observed that the action of SPM Chavakkad

in again selecting Smt C Ambujam on the basis of the considerations which are not prescribed as methods of selection is highly irregular. Hence, PMG Central Region Kochi in his letter No. CAT/2-438/91 dated 2.7.91 has issued instructions to terminate the service of Smt C Ambujam as per ID Act and to select a person eligible according to the procedures and regulations. Accordingly, the service of Smt C Ambujam was terminated under Section 25 F of the ID Act on 11.7.91 and Smt KS Usha the applicant was appointed as EDSV Chavakkad w.e.f. 11.7.91. The applicant is still continuing in the post of EDSV Chavakkad. Smt C Ambujam has filed application under OA 1095/91 against termination of her services which is also pending before the CAT."

3 It is thus clear that the prayers made in this application have become infructuous in view of the fact that ^{on} ^{the} their own Department has terminated the services of the Respondent-5 and have already inducted the applicant on the post of ED Stamp Vendor, Chavakkad. In this view of the matter we find nothing remained ^s ^{now} for adjudication, except ^{to state} that the Respondent-5 has separately filed OA 1095/91 which is pending.

4 We, therefore, close this application as having become infructuous.


(N Dharmadan) 3.1.92
Judicial Member


(NV Krishnan) 3.1.92
Administrative Member

3-1-1992