

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

OA 505/2000

Monday the 12th day of June, 2000.

CORAM

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

V.Sreekumar
Part time Contingent Sweeper
Head Post Office
Kollam

Applicant

By advocate Mr G.Sasidharan Chempazhanthiyil

Versus

1. The Postmaster
Head Post Office
Kollam.
2. The Chief Postmaster General
Kerala Circle
Thiruvananthapuram
3. The Director General
Postal Department
New Delhi.
4. Union of India represented by
its Secretary, Ministry of
Communications, New Delhi.

Respondents

By advocate Mr T.A.Unnikrishnan, ACGSC

The application having been heard on 12th June, 2000,
the Tribunal on the same day delivered the following:

O R D E R

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

Applicant who was appointed as part time Sweeper under the first respondent on 30-7-97 (A-1) has applied for appointment to the post of E.D. Letter Box Peon, coming to know that a vacancy had arisen on 1-2-2000, giving preference as part-time sweeper according to the directions contained in the memorandum dated 31-3-92 (A-3) of the Chief Post Master. By the impugned order dated 29-4-2000 (A-6), the applicant's request was rejected on the ground that he was not sponsored

by the Employment Exchange for appointment as Part-Time Sweeper. Aggrieved by that, impugning A-6 as also the A-4 notification issued, the applicant has filed this application for a declaration that he is entitled to be considered for appointment as ED Letter Box Peon, Kollam Head Post Office in terms of A-3 and for a direction to the first respondent to take action accordingly.

2. Learned counsel for the respondents when the application came up for hearing today has fairly conceded that as the applicant has been appointed regularly as part-time Sweeper in accordance with the directions of the Tribunal in OA 894/97, he is eligible to be considered for appointment giving preference and in terms of A-3 letter of the Chief Post Master General and that the application may be disposed of directing the respondents to consider the claim of the applicant for appointment as ED Letter Box Peon alongwith similarly situated persons and that open market recruitment may be resorted to only in case this method fails.

In the light of what is stated above, as agreed to by the learned counsel on either side, the application is disposed of directing the respondents to consider the representation of the applicant for appointment as ED Letter Box Peon alongwith applications of similar persons giving preference as per A-3 if the applicant is otherwise eligible

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and suitable for such appointment. We also direct that only if the said method fails, open market recruitment for ED Letter Box Peon should be resorted to. No order as to costs.

Dated 12th June, 2000.



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A. V. HARIDASAN
VICE CHAIRMAN

aa.

Annexures referred to in this order:

A-4: True copy of letter No.EDLB Peon/Kollam HO dated 22.4.2000 issued by the first respondent.

A-6: True copy of letter No.H/29/Part dated 29.4.2000 sent by first respondent to the applicant.

A-1: True copy of letter No.H/29 dated 30-7-97 sent by first respondent to the applicant.

A-3: True copy of letter No.Rect/27-1/IV dated 31.3.92 sent by 2nd respondent.