

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No. 506/91
T.A. No.

199

DATE OF DECISION 27.5.92

KV Thankachan _____ Applicant (s)

Mr CM Suresh Babu _____ Advocate for the Applicant (s)

The Superintendent of Post Offices, Alappuzha & others _____ Respondent (s)

Mr KA Cherian, AGGSC _____ Advocate for the Respondent (s)

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 ? *no*
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

Sh NV Krishnan, A.M

The applicant who was working as EDDA-II at Ezhupunna Post Office on a provisional basis under the Respondent-2 approached this Tribunal seeking the following reliefs:

- " (i) Declare that the applicant is entitled to be appointed as EDDA-II on regular basis at Ezhupunna Post Office in preference to the candidates sponsored by the Employment Exchange.
- (ii) Direct the 2nd respondent to consider the applicant for regular selection to the post of EDDA-II at Ezhupunna Post Office giving due weightage to his past service, alongwith other candidates sponsored by the Employment Exchange even though the applicant is not being sponsored by the Employment Exchange.
- (iii) Direct the 2nd respondent not to terminate the service of the applicant as EDDA II at Ezhupunna Post Office on provisional basis till a regular selection is made to that post".

2 When the application was admitted, an interim order was issued to Respondent-2 to consider the applicant also for the post of EDDA-II at Ezhupunna Post Office, provisionally, alongwith other candidates, even though he has not been sponsored by the Employment Exchange. We had also directed that the applicant should be kept in his present assignment till he is replaced by a regularly selected candidate.

The results of the selection had ~~also~~ not been disclosed in view of our directions. *in that behalf*

3 On the last date of hearing, the learned counsel for the respondents submitted that the selection to the above post has taken place and he was therefore, directed to produce the results. Accordingly, the results have now been produced before us to-day. The final selection has been made by Shri PM Harisaran, the present Sub Divisional Officer, *seen from* Sherthallai. It is ~~stated that~~ the document produced before us shows that all the candidates who appeared, including the applicant *we found* ~~who are~~ eligible for the post and therefore, the candidate was selected only on the basis of merit. It is stated that Shri AL Gopalakrishnan, who got the highest mark in the SSLC, has been selected as EDDA.

4 As ~~as~~ the main prayer of the applicant was to consider him also alongwith others in the selection and since that has been done, we are of the view that the present application has become infructuous and is liable to be dismissed.

5 Accordingly, we dismiss this application as having become infructuous, preserving the liberty of the applicant *to agitate the matter, before the appropriate authority, if so advised.*

6 There will be no order as to costs.

Dharmadan *27.5.92*
(N Dharmadan) 27.5.92
Judicial Member

Chu *27.5.92*
(NV Krishnan) 27.5.92
Administrative Member

27.5.92