

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No.510/94

Thursday, this the 27th day of April, 1995

C O R A M

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER
HON'BLE MR P SURYAPRAKASAM, JUDICIAL MEMBER

....

A Chandrasekharan Nair,
Extra Departmental Delivery Agent,
Kodunganoor, Trivandrum.

....Applicant

By Advocate Shri K Ramakumar.

vs.

1. Union of India represented by the Director General of Posts, New Delhi.
2. The Chief Post Master General, Kerala Circle, Trivandrum.
3. Senior Superintendent of Post Offices, North Division, Trivandrum.
4. The Superintendent of Post Offices, Trivandrum South Division.

....Respondents

By Shri S Radhakrishnan, Addl Central Govt Standing Counsel.

O R D E R

PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

Applicant, who is an Extra Departmental Delivery Agent, wrote the departmental examination for recruitment to the cadre of Postman in 1991 and in 1992. He was, however, not appointed as Postman. In the meanwhile, an examination was proposed to be held in 1994. Applicant contends that when the results of the examination conducted in December, 1992 have not been published, holding of another examination is illegal, that certain persons who passed the examination in 1990 were appointed against 1993 vacancies, that the number of vacancies of Postmen, particularly that of Leave Reserve

contd.

Postman are not being followed correctly and that the applicant is entitled to be promoted and posted as Postman in one of the Post Offices under Trivandrum District.

2. Respondents have stated that after sufficient candidates for vacancies announced in each Division were selected, surplus candidates were allotted to other Divisions in the Region where unfilled vacancies existed. Candidates were required to state the stations of their choice for such allotment as surplus candidates. Since there was no vacancy in Trivandrum South Division, results were not required to be published. Persons specified by applicant, such as Shri Krishna Prakash and Shri Satheesh Kumar were selected as Postmen under the sports quota in relaxation of normal recruitment rules and applicant cannot compare himself with them. Examination for a particular year is held for filling up vacancies in the same year and the persons who qualify in a particular examination cannot be appointed against vacancies arising in subsequent years and the vacancies are notified in advance for each year. Applicant had specifically indicated his choice for allotment as Trivandrum (presumably Trivandrum North Division), Quilon and Alleppey. Alleppey not being in the South Region, applicant has no claim for allotment to that Division. There were no unfilled vacancies in Quilon, Trivandrum North and South Divisions and so, applicant could not be posted as Postman. Respondents also state that the number of regular Postman in Trivandrum South Division is 166. The percentage prescribed for Leave Reserve Postman is ten and all the posts are filled. According to respondents, there are 15 Leave Reserve Postmen working in Trivandrum South Division as against the prescribed percentage of ten posts.

3. After hearing both sides at length, we find that applicant could not be posted as Postman even though he had secured high

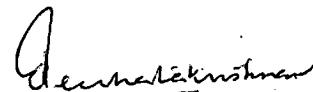
marks in the departmental examination, only because there were no vacancies. Learned counsel for respondents stated that persons who qualified in the departmental examination, who were appointed in subsequent years, were instances of appointments made as a result of directions issued by this Tribunal. Therefore, we see that there is no ground for granting the prayers of the applicant.

4. The application is without merit and is accordingly dismissed without costs.

Dated the 27th April, 1995.



P SURYAPRAKASAM
JUDICIAL MEMBER



PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER