

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.511/03

Wednesday this the 9th day of July, 2003

C O R A M :

HON'BLE MR.T.N.T.NAYAR, ADMINISTRATIVE MEMBER
HON'BLE K.V.SACHIDANANDAN, JUDICIAL MEMBER

N.Radhamony,
Part-time Casual Labourer (Sweeper),
Sub Record Office, R.M.S.,
Quilon.

Applicant

(By advocate Mr.Thomas Mathew)

Versus

1. Sub Record Officer,
Railway Mail Service, T.V.Division,
Quilon.
2. Senior Superintendent,
Railway Mail Service, TV Division,
Trivandrum.
3. Chief Postmaster General,
Kerala Circle, Trivandrum.
4. Union of India, represented by its
Secretary, Department of Posts,
New Delhi.

Respondents

(By advocate Mr.P.M.M.Najeebkhan,ACGSC)

The application having been heard on the 9th July 2003,
the Tribunal on the same day delivered the following:

O R D E R

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

The applicant who continues to be a Casual Labourer in the Sub Record Office, G.D.S.Mailman, Quilon, is aggrieved by the fact that although he is entitled to be considered for appointment as G.D.S.Mailman from the date of occurrence of a clear vacancy at Sub Record Office, Quilon, so far ~~as~~ no steps have been taken in that direction. He is a casual labourer since 1.11.83 duly included in the approved list of Casual Labourers as on 6/1994. It is claimed that he has got the necessary educational qualification and also satisfies other criteria for appointment as G.D.S.Mailman. The applicant seeks a declaration

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of this Tribunal to the effect that he is entitled to be considered for appointment as G.D.S.Mailman, Sub Record Office, Quilon in terms of the preferential treatment enjoined as per the Director General of Post's letter dated 6.6.1988 (Annexure A-4). Since 12 vacancies of G.D.S.Mailman had arisen at Sub Record Office, Quilon, it would appear that the applicant made a representation Annexure A-6 dated 15.3.03 duly highlighting all the relevant facts. Apparently, he has not been favoured with any reply, not to speak of any favourable consideration.

2. When the matter came up for admission, Shri.Thomas Mathew, learned counsel for the applicant states that the purpose of the OA would be served if the respondents are directed to dispose of Annexure A-6 representation in adherence to the instructions contained in Directorate General's letter dated 6.6.1988 and also in accordance with the decisions of this Tribunal in various cases like O.A.360/99, 1622/98, 648/00, 571/02 and 793/02 and pass appropriate orders thereon.

3. Shri.P.M.M.Najeebkhan,ACGSC who takes notice for the respondents states that such a course of action can be taken and that the OA can be disposed of in the light of the statement made by the learned counsel for the applicant and having regard to the facts mentioned in the OA.

4. In the light of the submissions made by the learned counsel on either side, we dispose of this OA by directing the third respondent to pass appropriate orders on the applicant's representation dated 15.3.03 (A-6) in accordance with the Director General of Post's letters (A-4) and also having regard

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to the orders of this Tribunal on the subject referred to above within a period of three months from the date of receipt of copy of this order. No order as to costs.

(Dated 9th day of July 2003)



K.V. SACHIDANANDAN
JUDICIAL MEMBER



T.N.T. NAYAR
ADMINISTRATIVE MEMBER

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