

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No. 515/99

Thursday, this the 29th day of April, 1999.

CORAM:

HON'BLE MR AM SIVADAS, JUDICIAL MEMBER

HON'BLE MR BN BAHADUR, ADMINISTRATIVE MEMBER

Roy Joseph,
S/o. Joseph,
Vattukulathil House,
Adivaram P.O.,
Calicut.

...Applicant

By Advocate Mr. Johnson Manayani

Vs.

1. Sub Divisional Inspector (Postal),
Kunnamangalam P.O.,
Calicut.
2. Senior Superintendent of Post Offices,
Calicut Division, Calicut.
3. Post Master General,
Northern Region, Calicut.

...Respondents

By Advocate Mr. M. Rajendra Kumar, ACGSC

The application having been heard on 29.4.99, the
Tribunal on the same day delivered the following:

ORDER

HON'BLE MR AM SIVADAS, JUDICIAL MEMBER

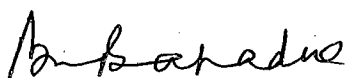
The applicant seeks to declare that he is entitled to be considered for the post of Extra-departmental Delivery Agent No. II at Adivaram Post Office and to direct the first respondent to appoint the applicant in the post of Extra-departmental Delivery Agent No. II at Adivaram Post Office and also not to terminate the applicant from the post of Extra-departmental Delivery Agent No. II at Adivaram Post Office.

2. When the O.A. was taken up for admission hearing, the learned counsel appearing for the applicant submitted that the relief with regard to the non-termination of the applicant from the post of Extra-departmental Delivery Agent No. II at Adivaram Post Office is not pressed.

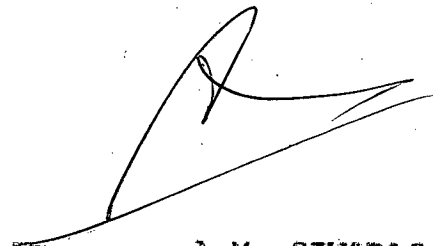
3. The applicant has applied for the post of Extra-departmental Delivery Agent No. II at Adivaram Post Office. It is submitted by the learned counsel appearing for the applicant across the bar that the interview is fixed to be held on 7.5.1999. The applicant has not been sponsored by the Employment Exchange. He apprehends that he will not be considered for the selection for the said post due to the fact that he has not been sponsored by the Employment Exchange. There cannot be in the normal course any ground for such an apprehension in the light of verdict of the Apex Court in Excise Superintendent, Malkapatnam, Krishna District, Andhra Pradesh Vs. K.B.N. Vishweshwar Rao (1996 (6) SCC 216). The normal presumption is that the authorities concerned are fully in the know of the position and they will act according to the law in force. There is no ground to take a different view in this case.

4. With this observation, the O.A. is disposed of accordingly. No costs.

Dated the 29th day of April, 1999.



B.N. BAHADUR
ADMINISTRATIVE MEMBER



A.M. SIVADAS
JUDICIAL MEMBER