

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. XXXXXX 530 of 1992.

DATE OF DECISION 13.10.92

Mr. A. V. Poulose Applicant (s)

Mrs. Daya K. Panicker Advocate for the Applicant (s)
(Not present)

Versus

Union of India represented by Secretary, Ministry of Communications and others Respondent (s)

Mr. V. Krishnakumar, ACGSC Advocate for the Respondent (s)
(For R.1&2)

CORAM: Mr. P. S. Biju - for R.3.

The Hon'ble Mr. S. P. Mukerji, Vice Chairman

and

The Hon'ble Mr. A. V. Haridasan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? Y
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

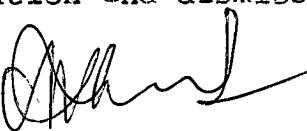
(Hon'ble Mr. S. P. Mukerji, Vice Chairman)

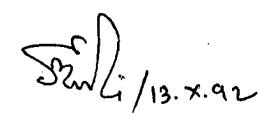
In this application dated 2.4.92 filed under Section 19 of the Administrative Tribunals Act, the applicant who has been working as EDMC, Puliyannam with Headquarters at Angamali has challenged the impugned memo dated 19.3.92 by which his representation for his transfer from the post of EDMC to EDBPM was turned down and prayed that the impugned memo should be set aside and the proceedings to fill-up the vacancy at Puliyannam through Employment Exchange be quashed. He has also prayed that the respondents be directed to appoint him as EDBPM, Puliyannam on a regular basis. The applicant's aforesaid representation was turned down as at Annexure A.2 by a detailed order in compliance

of the directions of this Tribunal in O.A.603/91 which the applicant before us had earlier filed.

2. When the case was taken up for arguments today neither the applicant nor his learned counsel was present despite notice. Accordingly we have heard the learned counsel for Respondents 1&2 as also additional respondent No.3 and are of the opinion that there is not much merit in the application. The applicant has been working as EDMC at Puliyanam ^{appointment w} with headquarters at Angamali for which post he has indicated his residence to be at A-^{ngamali}. In order to show himself to be qualified for the post of EDBPM of Puliyanam, he has declared himself to be a permanent resident of Parakadavu village under Puliyanam Post Office. However, he has given his address as C/o his father-in-law. His candidature for the aforesaid post was rejected by the impugned order at Annexure A.2 on the ground that he is disqualified, ^{of} being not a permanent resident within the jurisdiction of Puliyanam Post Office or in Parakadavu village. For one thing it surpasses our imagination as to how the applicant having declared himself to be a resident of Angamali can declare himself to be a permanent resident of Puliyanam or Parakadavu village simultaneously. He has not yet given over charge of the post of EDMC at Angamali. It appears to us that apart from the fact ^{himself} that this application has little merit the applicant is not serious about prosecuting this application.

3. In the above circumstances, we see no merit in the application and dismiss the same without any order as to costs.


(A.V. HARIDASAN)
JUDICIAL MEMBER


(S.P. MUKERJI)
VICE CHAIRMAN

13.10.92

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