

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

DATE OF DECISION: 6-11-1989

PRESENT

HON'BLE SHRI S.P.MUKERJI, VICE CHAIRMAN
&
HON'BLE SHRI A.V.HARIDASAN, JUDICIAL MEMBER

ORIGINAL APPLICATION NO.530/89

K.Vijayakumari - Applicant

v.

1. Union of India, represented by its Secretary, Ministry of Communications, Govt. of India, New Delhi.
2. The Senior Superintendent of Post Offices, Pathanamthitta Division, Pathanamthitta-689 645.
3. The Sub Divisional Inspector of Post Offices, Punalur-691 305.
4. The Employment Officer, Town Employment Exchange, Punalur 691 305.
5. N.Gangadharan Nair, Male Overseer, No.I, Head Post Office, Punalur 691 305.

- Respondents

Mr S.Abdul Razzak - Counsel for applicant

Mr TPM Ibrahimkhan, ACGSC - Counsel for respondents

O_R_D_E_R

(SHRI SP MUKERJI, VICE CHAIRMAN)

We have heard the learned counsel for both the parties.

2. The learned counsel for the respondents has stated that Smt.Sushama is not related to respondent

No.5, but it is accepted that she was inducted in that post as a nominee of respondent No.5, till a regular selection is made. We feel that since the applicant has also been working as nominee for about 10 years with previous experience, there is no justification to substitute one nominee by another of ^{inferior} ~~experience~~ experience. It has also been accepted that Smt.Sushama was inducted while the process of regular selection was still going on. Having heard the learned counsel for both the parties and gone through the case, we find that the selection process for regular appointment was initiated by the publication of a notice at Annexure-A6(a)/the Employment Exchange. The advertisement of vacancy inviting the applications was published on 24.7.1989 asking candidates to be present at Employment Exchange, Punalur with all original certificates and registration card on that very day. We feel that the notice did not give and sufficient time ~~with~~ opportunity to all the applicants to appear in time at the Employment Exchange.

3. Accordingly, we allow this application and set aside the notice at Annexure-A6(a) with the direction that the respondents should initiate the

selection process denovo again by giving sufficient time to all the candidates. We also direct the respondents to consider the applicant before us also, if she is otherwise eligible for regular appointment to the post which she has been holding. We close the this application with above directions. The applicant should be as indicated above, ~~be~~ inducted to the post as a nominee until regular appointee takes over from her. The applicant should be reinducted within a period of fifteen days from the date of communication of this order.


(A.V. HARIDASAN)

JUDICIAL MEMBER


(S.P. MUKERJI)

VICE CHAIRMAN

6-11-1989

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