

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No.541/99

Tuesday, this the 4th day of May, 1999.

CORAM

HON'BLE A.V. HARIDASAN, VICE CHAIRMAN

V. Manmadan
Extra Departmental Delivery Agent,
Vettiyara, Navaikulam.

... Applicant

By Advocate Mr Sasidharan Chempazhanthiyil.

Vs.

1. Sub Divisional Inspector (Posts),
Attingal Sub Division,
Attingal.
2. Senior Superintendent of Post Offices,
North Postal Division,
Trivandrum.

... Respondents

By Advocate Mr Govindh K. Bharathan, Sr.CGSC.

The application having been heard on 4.5.1999, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

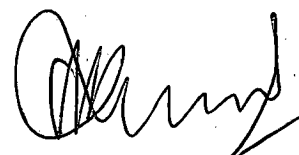
The applicant, Shri V Manmadan, presently working as Extra Departmental Delivery Agent, Vettiyara, coming to know that a post of ED Stamp Vendor has arisen in the same Sub Division at Kallambalam, submitted a representation to the second respondent requesting for a transfer as ED Stamp Vendor, Kallambalam on 9.4.99. Finding that the 1st respondent had invited applications from intending candidates for appointment to the post of ED Stamp Vendor, Kallambalam and apprehending that the SDI would not consider his request for a transfer, the applicant has filed this application for a direction to the 1st respondent to consider the claim of the applicant for a transfer to the post of ED Stamp Vendor, Kallambalam, declaring that the applicant as a working ED Agent he is entitled to be considered for appointment as ED Stamp Vendor in preference

to outsiders. It has been alleged in the application that this Bench of the Tribunal had in O.A.45/98 held that when a working ED Agent applies for another ED post within the same Division, the department has to consider his claim for a transfer without subjecting him for a selection along with outsiders.

2. When the application came up for hearing, learned counsel of the applicant stated that the representation having been made to the 2nd respondent while in fact it has to be made to the first respondent, the applicant may be permitted to make a fresh representation to the first respondent and the first respondent may be directed to consider the representation and take a decision on the claim of the applicant for transfer keeping in view the decision of the Tribunal in O.A.45/98. Learned counsel of the respondents agreed that the application may be disposed of with appropriate direction as suggested by the learned counsel of the applicant.

3. In the light of the above submission made by the learned counsel on either side and as agreed to by them, I dispose of this application permitting the applicant to make a request for transfer as ED Stamp Vendor, Kallambalam to the 1st respondent within a week from today and directing the 1st respondent to consider the request in the light of the decision of the Tribunal in O.A.45/98 and communicate a decision thereon to the applicant within a period of two weeks from the date of receipt of the representation. As agreed, it is also directed that the selection proposed under A-3 shall be kept in abeyance till a decision as aforesaid is taken and communicated to the applicant. No costs.

Dated, the 4th of May, 1999.


A.V. HARIDASAN
VICE CHAIRMAN

trs/4599

LIST OF ANNEXURES REFERRED TO IN THE ORDER

Annexure A-3, True copy of the Notice No. EDSV/SD/Kallambalam dated 31.3.99 issued by the first respondent.