

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. NO. 545 OF 2009

Friday, this the 14th day of August, 2009.

CORAM:

HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER

HON'BLE Mr.K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER

C.P. Shobhana,
Sub Post Master, Lower Selection Grade,
Etakkad – 670 663, Kannur.

... Applicant

(By Advocate Mrs. R Jagada Bai)

versus

1. Union of India, represented by the
Secretary, Department of Posts,
New Delhi.
2. Chief Postmaster General,
Kerala Circle, Thiruvananthapuram.
3. Director of Postal Services (Head Quarters),
Kerala Circle, Office of the Chief Postmaster
General, Kerala Circle, Trivandrum.
4. Smt. Leena Chandran,
Sub Post Master, Lower Selection Grade,
Thiruvalla Postal Division, Tiruvalla.

... Respondents

(By Advocate Mr. T.P.M. Ibrahim Khan, SCGSC)

The application having been heard on 14.08.2009, the Tribunal on the same day delivered the following:

ORDER

HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER

The applicant in this case is aggrieved by Annexure A2 Promotion order dated 03.05.2007 and Annexure A4 Promotion order dated 03.10.2008 on the ground that his seniority has been overlooked while making the promotion.

2.

Normally it is only after exhausting the remedies available at the

administrative wing that employees could approach the Tribunal. Section 20 of the Administrative Tribunals Act refers. In the instant case however, the remedy has not been exhausted. When this was pointed to the counsel for the applicant, the counsel fairly stated that as generally remedy in such a case would mean statutory remedy available, the applicant has directly approached the Tribunal. A prayer was therefore made that the entire O.A. may be directed to be considered as a representation of the applicant and the respondents may be directed to dispose of the same within a time limit that may be calendared by the Tribunal.

3. In view of the same, it is felt appropriate that interest of justice would be met if the respondents are directed to treat the contents of this O.A. as the contents of representation from the side of the applicant and the same is considered by them.

4. Accordingly, this O.A. is disposed of with a direction to the respondents to consider the entire O.A. as representation from the applicant and the same be decided within a period of 2 months from the date of communication of this order. It is made clear that no opinion is expressed as to the merits of this matter at this stage. No costs.

Dated, the 14th August, 2009.



K. GEORGE JOSEPH
ADMINISTRATIVE MEMBER



Dr.K.B.S.RAJAN
JUDICIAL MEMBER