

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.547/10

Wednesday this the 8th day of February 2012

C O R A M :

**HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER
HON'BLE Ms.K.NOORJEHAN, ADMINISTRATIVE MEMBER**

**G.Somukumar,
GDS MP Malayinkeezhu,
Presently officiating as Group D,
Manacaud, Thiruvananthapuram.**

...Applicant

(By Advocate Mr.Vishnu S Chempazhanthiyil)

V e r s u s

- 1. The Superintendent of Post Offices,
Thiruvananthapuram South Division,
Thiruvananthapuram – 14.**
- 2. Union of India
represented by Chief Postmaster General,
Kerala Circle, Thiruvananthapuram – 33.**

...Respondents

(By Advocate Mr.George Joseph,ACGSC)

**This application having been heard on 8th February 2012 this
Tribunal on the same day delivered the following :-**

O R D E R

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

The applicant is a GDS official in Thiruvananthapuram South Postal Division. His name figures at Sl.No.85 in the seniority list of GDS officials as on 1.7.2008. For appointment as Group D, though he is eligible, in view of the fact that there are number of seniors to the applicant waiting for such appointment, his case could not be considered by the respondents. The applicant has filed this O.A with the request that the respondents be directed to consider the applicant for appointment as Group D.

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2. The respondents have filed their reply statement. Earlier the age limit of GDS for appointment as Group D was 50 years whereas now it has been treated as 60 years. From 2002-2008, there were only 12 vacancies to be filled up by appointment of GDS and as on date the respondents could cover only up to Sl.No.49 of the seniority list while the applicant's position is 85. As such, the respondents have stated that it is not possible for them to accommodate the applicant now.

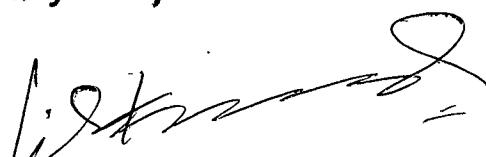
3. Counsel for the applicant initially stated that the junior to the applicant was appointed (Sl.No.90). However, when the counsel for the respondents pointed out that the same might be of a reserved category, counsel for the applicant has fairly conceded to the same. Counsel for the respondents reiterated the contentions as contained in the reply statement (briefly stated in the preceding paragraph).

4. Arguments were heard and documents perused. It is trite that the appointment could be considered only in the order of seniority and when vacancies are limited and contestants are more, obviously it may not be possible to accommodate all. The applicant has to wait till his turn comes for appointment as Group D. As such, the applicant could not make out a case. The O.A is, therefore, dismissed. No costs.

(Dated this the 8th day of February 2012)


K.NOORJEHAN
ADMINISTRATIVE MEMBER

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Dr.K.B.S.RAJAN
JUDICIAL MEMBER