

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.56/2000

Monday this the 17th day of January, 2000

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. J.L. NEGI, ADMINISTRATIVE MEMBER

Jeevan William aged 24 years
S/o William Periera,
Puthuval Purayidom, Puthenthope PO,
St.Xaviers College (Via)
Trivandrum and was employed as
Extra Departmental Mail Carrier,
Puthenthope Post Office,
Thiruvananthapuram.

...Applicant

(By Advocate Mr. Vishnu/Sasidharan Chempazhanthiyil)

V.

1. Assistant Superintendent of Post
Offices, North Sub Division,
Thiruvananthapuram.

2. Senior Superintendent of
North Postal Division,
Thiruvananthapuram.

3. Chief Postmaster General,
Kerala Circle,
Thiruvananthapuram.

4. Union of India represented
by its Secretary,
Ministry of Communications
New Delhi.

...:Respondents

(By Advocate Mr. PMM Najeeb Khan (rep. by Sheljam)

The application having been heard on 17th January, 2000
the Tribunal on the same day delivered the following;

O R D E R

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

The applicant who claims to be a physically
handicapped person with 75% visual disability has filed
this application for the following reliefs:

(a) Direct the respondents 1 and 2 to reserve
appropriate number of Extra Departmental
posts to be filled up from handicapped
persons, under the Persons with
Disabilities (Equal Opportunities Act)
1995.

...2

(b) Direct the third respondent to consider and pass orders on Annexure.A8.

(c) Direct the Ist respondent to keep recruitment pursuant to Annexure.A9 in abeyance till appropriate number of Extra Departmental Vacancies are reserved to be filled up from handicapped persons as required under Section 33 of the Persons with Disabilities (Equal Opportunities etc) Act, 1995.

(d) Direct the Ist respondent to reserve the post of Extra Departmental Mail Carrier, Puthenthopu to be filled up from physically handicapped persons and to make recruitment accordingly by cancelling Annexure.A9.

2. We have heard the learned counsel of the applicant and the Additional Central Government Standing Counsel appearing for the respondents. There is no case for the applicant that the post of Extra Departmental Mail Carrier, Puthenthope Post Office is a post reserved to be filled by a person who suffers from disabilities. Therefore, there is no basis in the claim of the applicant that the impugned notification A9 should be set aside. Taking note of this situation, the learned counsel of the applicant states that the application may be disposed of directing the third respondent to consider the A8 representation and to give him an appropriate reply and that the challenge against A9 is not pressed. The learned counsel appearing for the respondents agrees to this course of action.

3. In the result, the applicant's challenge against A9 is not being pressed, the application is disposed of directing the third respondent to consider the A8 representation of the applicant and to give him an appropriate reply within a period of two months from the date of receipt of a copy of this order. There is no order as to costs.

Dated the 17th day of January, 2000



J.L. NEGI
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

.3.

List of Annexures referred to:

Annexure.A8:True copy of the representation dated 26.12.1999 submitted by the applicant before the third respondent.

Annexure.A9:True copy of Notice No.EDMC/Puthenthope dated 4.1.2000 issued by Ist respondent.

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