

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 551 of 1993.

DATE OF DECISION 30.3.93

K. Moosa Applicant (s)

M/s M.R. Rajendran Nair & PV Asha Advocate for the Applicant (s)

Versus

The Superintendent of Post Offices, Manjeri and another Respondent (s)

Mr. MVS Namboodiri rep. Mr Joy George, ACGSO-for R.1. Advocate for the Respondent (s)  
None for R.2

CORAM :

The Hon'ble Mr. **S.P. Mukerji**, Vice Chairman  
and

The Hon'ble Mr. **N. Dharmadan**, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? <sup>Y</sup>
2. To be referred to the Reporter or not? <sup>W</sup>
3. Whether their Lordships wish to see the fair copy of the Judgement? <sup>W</sup>
4. To be circulated to all Benches of the Tribunal? <sup>W</sup>

## JUDGEMENT

(Hon'ble Mr. N. Dharmadan, Judicial Member)

The applicant is aggrieved by the refusal of the respondents to consider him for selection and appointment as EDBPM, Velliyancherri P.O. considering his past service indicated in Annexure-I certificate.

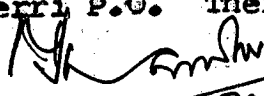
2. According to the applicant, he worked as an EDBPM in the same Post Office with effect from 23.10.1970 continuously for a period of 10 years. Thereafter on account of his absence from employment <sup>for short period</sup> he was not allowed to work in the Post Office. Now he reliably understood that

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a regular vacancy <sup>as</sup> occurred in the same P.O. The first respondent is taking steps for filling-up the post after conducting a regular selection by calling names from the second respondent. The second respondent <sup>sent by</sup> sponsored names of persons but the applicant's name was not included in the same. He submitted that he had an earlier registration but it was lapsed on account of his failure to renew the same. He has also registered his name in the year 1992 and is fully qualified to be considered for the post having weightage for the past service.

3. At the time when the case came up for admission, the learned counsel for the respondents on the basis of instructions submitted that the applicant will also be considered for the regular selection.

4. In the above light we are satisfied that the interest of justice will be met in this case if we direct the respondents to consider the applicant also for regular selection as EDBPM, Velliyancherri P.O. in the interview to be held by the respondents. Accordingly we admit this application and dispose of the same with the direction to the first respondent to consider the applicant also for regular selection to the post of EDBPM, Velliyancherri P.O. There is no order as to costs.

  
(N. Dharmadani)  
Judicial Member

30.3.93

  
(S.P. Mukerji)  
Vice Chairman

30.3.93