

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.562 of 1994

Friday, this the 17th day of February, 1995

CORAM

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

HON'BLE MR P SURYAPRAKASAM, JUDICIAL MEMBER

K R Johnson, S/o K O Raphael,
Postman,
Cochin Head Post Office,
Fort Cochin, Cochin-1

...Applicant

By Advocate Mr M Stanley Fernandez.

Vs

1. Union of India rep. by
the Secretary,
Ministry of Telecommunication,
New Delhi.

2. Senior Superintendent of Post Offices,
Ernakulam, Cochin-682 011.

3. Chief Post Master General,
Kerala Circle,
Thiruvananthapuram.

...Respondents

By Advocate Mr TPM Ibrahim Khan, Sr.CGSC

O R D E R

PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

Applicant who was working as Extra Departmental Packer in the Postal Department was promoted as Postman in 1988. Thereafter, he wrote the qualifying examination for Postal Assistant in 1992 and passed. According to applicant, though ten vacancies were notified in the Ernakulam Division, later on it was notified that there was no vacancy. Applicant also states that 18 persons will be retiring in 1994 and prays that he may be posted against one of these vacancies in the Ernakulam Division.

...2/-

2. According to respondents, though the number of vacancies were notified as 10, due to the introduction of the Biennial Cadre Review Scheme from 1.10.91, six posts of Postal Assistants were reduced and further 18 posts of Postal Assistants were also declared surplus in the Ernakulam Postal Division. Therefore, the number of vacancies became nil. He was also not considered for inclusion in the list of surplus qualified candidates since there were others with higher marks.

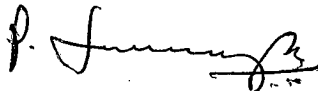
3. Applicant relies on para-5 of R-4 where it is stated that selected candidates are eligible for appointment to the departmental quota of vacancies only, and that their absorption will be subject to the availability of vacancies after providing for qualified candidates of earlier examination remaining in the waiting list. It is not clear from the pleadings whether there was a waiting list and if so, whether applicant figures in the waiting list. We are, therefore, unable to give applicant the relief prayed for. Applicant may make a representation to second respondent within thirty days and the second respondent will examine whether there was a waiting list, whether applicant figured in it, and whether applicant can be posted against a vacancy of Postal Assistant by virtue of his passing the examination in 1992 and by virtue of para-5 of the Annexure R-4 which has been referred to above. A suitable reply may be given to the applicant within one month of the receipt of his representation clarifying

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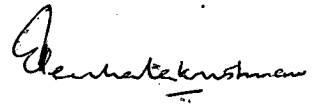
how the vacancies have been filled up, and what his position is with regard to the filling up of the vacancies.

4. Application is disposed of as aforesaid. No costs.

Dated the 17th February, 1995.



P SURYAPRAKASAM
JUDICIAL MEMBER



PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER

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List of Annexures

1. Annexure-R4: Copy of letter No. Rectt. 10-3/92 dated 3.10.1992 of Chief Post Master General, Trivandrum.