

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A. NO. 564 OF 2000.

Tuesday this the 30th day of May 2000.

CORAM:

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

HON'BLE MR. G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

Suresh Kumar Y,
Extra Departmental Stamp Vendor (Provisional)
Karthikappally Post Office,
Karthikappally.

Applicant

(By Advocate Ms. K. Indu)

Vs.

1. Union of India, represented by
Secretary, Ministry of
Communications, Department of
Posts, New Delhi.

2. Superintendent of Post Office,
Mavelikkara.

3. The Sub Divisional Inspector of
Post Office, Kayamkulam.

4. The Post Master,
Karthikappally Post Office,
Karthikappally. Respondents

(By Advocate Shri K. Kesavankutty, ACGSC)

The application having been heard on 30th May 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 has been engaged as temporary
measure to work as Extra Departmental Stamp Vendor,
Karthikappally Post Office without undergoing a process of

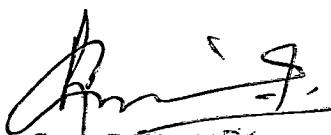
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selection, has impugned the order dated 22.5.2000 issued by the third respondent directing the 4th respondent to change the incumbent. It has been alleged in the application that the impugned order directing replacement of the applicant with another provisional employee is arbitrary, irrational and liable to be set aside.

2. We have heard the learned counsel for the applicant and have gone through the application. Learned counsel for the applicant states that the applicant was not appointed after any process of selection. Merely making ad hoc and provisional appointment to tide down the emergent situation without a process of selection does not confer on such appointee any right to continue if the superior authority decides to make appointment in accordance with law. Even provisional appointment to ED posts are to be made on the basis of a selection. The direction in the impugned order is only to do that. We, therefore do not find any legitimate cause of action of the applicant which calls for redressal.]

3. The application is rejected under Section 19(3) of the Administrative Tribunals Act 1985.

Dated the 30th May 2000.



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

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