

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No.
~~XXXXXX~~

58 of 1991

DATE OF DECISION 17.3.1992

M.K.Poulose and another Applicant (s)

Mr.P.S.Biju and Mr.C.S. Advocate for the Applicant (s)
Ramanathan

Versus

Chief Post Master General, Kerala Circle and others Respondent (s)

CORAM : Mr.K.A.Cherian, ACGSC (R.1/2) Advocate for the Respondent (s)
Mr.M.R.Rajendran Nair (through proxy) for R 3-4, 9-10
Mr.O.V.Radhakrishnan (R.5-8) (Not present)

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

The Hon'ble Mr. A.V.Haridasan - Judicial Member

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

JUDGEMENT

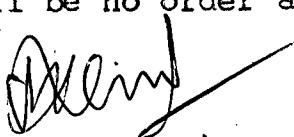
(Hon'ble Mr.S.P.Mukerji, Vice Chairman)

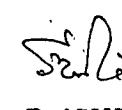
In this application dated 8.1.91 filed under Section 19 of the Administrative Tribunals Act, the two applicants who have been working as Extra Departmental Delivery Agent, Alwaye and Extra Departmental Letter Box Peon, Ernakulam Divisions have challenged the validity of the Departmental Examination held in October, 1990 for promotion to the cadre of Postman/Mail Guards. Their main contention in brief is that the questions were set outside the syllabus. It appears that the respondents have since tried to repair the damage by giving moderation marks to the candidates. Even thereafter the applicants before us could not make the grade. The learned counsel

for the applicants Shri P.S.Biju fairly stated before us that the second applicant has qualified in the subsequent Departmental Examination and has since been appointed as a Postman in the Ernakulam Division. The first applicant also appeared in the subsequent examination and according to the counsel for the applicant, he ^{also} ~~has~~ passed the examination for Alwaye Division but unfortunately for him since there are no vacancies left to accommodate him he has not yet been promoted as a Postman. He however, mentioned that there are some unfilled vacancies in the Ernakulam Division and as a candidate ~~qualified in the Departmental~~ ^{like} ~~Examination~~ ^{applied} ~~and~~ ^{handed} the first applicant had taken the examination in the Central Region covering both for Ernakulam and Alwaye Divisions, the respondents may consider him for appointment as Postman in Ernakulam Division. Subject to this the applicant would not like to press the application any further.

2. In the circumstances above, we close this application with the limited direction to the first applicant that he may within two weeks from today submit a representation for absorption as Postman in Ernakulam Division, to the second respondent and the second respondent is directed to dispose of the representation sympathetically within a period of one month from its receipt.

3. The application is disposed of on the above lines. There will be no order as to costs.


(A.V. HARIDASAN)
JUDICIAL MEMBER


S.P. MUKERJI
VICE CHAIRMAN

17.3.92