

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 575 199 1.

DATE OF DECISION 14.12.92

V.K. Murugesh Babu Applicant (s)

Mr. H. Paul Varghese Advocate for the Applicant (s)

Versus

The Sub Divisional Inspector Respondent (s)
Cochin Postal Sub Division,
Edappally P.O. and others

Mr. V. Ajith Narayanan, ACGSC Advocate for the Respondent (s)

CORAM : Mr. P.S. Biju, Advocate, for Respondent-4

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

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

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

JUDGEMENT

Mr. S.P. Mukerji, Vice Chairman

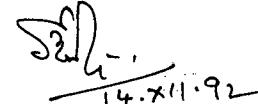
The applicant has ^{been} working originally as EDDA, Kannamly Post Office as a substitute and his services were terminated when another regular EDDA was transferred to that post. Later, the applicant was appointed as substitute EDMC of the same Post Office w.e.f. 8.4.91. With effect from 17.6.91 the regular incumbent of that post was ~~regularly~~ appointed as EDDA of the same post office. After some time, the post of EDMC was proposed to be abolished and the EDMC's post was proposed to be merged ^{that of} with E.D. Packer of the same post office. Then, we passed an interim order. In implementation of the interim order passed by this Tribunal on 12.4.91, the applicant is still continuing as EDMC, Kannamly Post Office.

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Though his amended prayer is that he should be considered for selection as EDDA of the same post office, during the course of arguments, learned counsel for the applicant stated that the applicant will be satisfied if respondents are directed to consider him for regular selection for the post of E.D. Packer-cum-E.D.M.C. of the same post office.

2. In the light of the circumstances of the case and considering that the applicant has been working as EDMC from 8.4.91, we dispose of this application with the direction to the Respondent No. 1 to consider the applicant also ~~in~~ for the regular selection to the post of EDMC-cum-E.D. Packer ^{in accordance with law} for the aforesaid post office even though his name is not sponsored by the Employment Exchange, in accordance with law. We further direct that the services of the applicant shall not be terminated ^{till} ~~except he is replaced by a regularly selected~~ candidate in the merged post of E.D. Packer-cum-E.D.M.C. ^{in case he is not selected.}
3. The application is disposed of on the above lines.
4. There shall not be any order as to costs.


(N. Dharmadan)
Judicial Member


14.12.92
(S.P. Mukerji)
Vice Chairman

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14.12.92