

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 584 of 1992
T. A. No.

DATE OF DECISION 24-4-1992

PA Podiyan & 2 others Applicant (s)

Mr MR Rajendran Nair Advocate for the Applicant (s)

Versus

Senior Supdt. of Post Office Respondent (s)
Pathanamthitta & 2 others

Mr SV Balakrishna Iyer, ACGSC Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. SP MUKERJI, VICE CHAIRMAN

&

The Hon'ble Mr. AV 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

(Mr AV Haridasan, Judicial Member)

The three applicants were selected to the post of Group 'D' employees of the Postal Department being successful in a Departmental Examination held in that regard, while they were working as ED Agents. Though they were initially given orders of appointment on 27.7.1989, these orders were subsequently recalled without stating any reason. However, they have now being appointed in the year 1991 by order dated 15.3.1991.

After assuming office, the applicants submitted a representation on 8.2.1992 claiming that their appointment should be antedated to a date immediately after the declaration of their results.

This representation is still pending with the respondents.

It is in these circumstances that the applicants have filed this application praying that it may be declared that they are entitled to be appointed as Group 'D' with effect from 13.9.1987 with all consequential benefits and in the alternative, to direct the respondents to consider the representation at Annexure-VIII, VIII(a) and VIII(b) on merits in the light of the judgement in OA-177/88.

2. While the application came up for admission, we notice that undue haste is shown by the applicant in rushing the Tribunal before expiry of even 2 months from the date of making the representation. However, the learned counsel for the respondents fairly agreed that the application may be admitted and disposed of with a direction to the second respondent to dispose of the representation within a reasonable time. This would satisfy the applicant also because the alternate relief prayed in this application is only that.

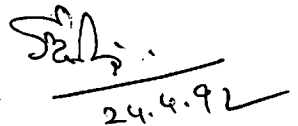
3. In view of the above submission at the Bar, we admit the application and dispose of the same with a direction to the second respondent to consider and dispose of the representations of the applicants at Annexure-VIII, VIII(a) and VIII(b) in accordance with law, within a period of three months from

the date of communication of this order. In case the applicants feel aggrieved by the outcome of the representations, it will be open for them to approach the appropriate forum, for redressal of their grievance.

4. There is no order as to costs.



(AV HARIDASAN)
JUDICIAL MEMBER


24.4.92

(SP MUKERJI)
VICE CHAIRMAN

24-4-1992

trs