

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A.No.584/2006

Friday this the 18 th day of August 2006.

CORAM:

HON'BLE MR. K.B.S.RAJAN, JUDICIAL MEMBER

HON'BLE MR. N.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

**T.G.Rajan,
Thevalathil House,
Peringazha,
Perumballoor P.O.,
Muvattupuzha.**

Applicant

(By Advocate Shri T.Rajesh)

Vs.

- 1. The Union of India represented by
the Secretary, Department of Posts,
and Telegraph New Delhi.**
- 2. The Superintendent of Posts, Aluva.**
- 3. The Sub divisional Inspector (Posts),
Muvattupuzha Sub Division,
Muvattupuzha Market Post,**
- 4. Vipin P.V., Payyanathottathil,
Mekadambu P.O., Muvattupuzha.**

Respondents

(By Advocate Shri P.A.Aziz, ACGSC)

**The application having been heard on 18.8.2006
the Tribunal on the same day delivered the following**

ORDER

HON'BLE MR K.B.S.RAJAN, JUDICIAL MEMBER

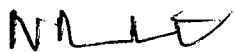
**The applicant in this O.A. has challenged the appointment as GDSMD of
the 4th respondent in the wake of a notification issued on 20.6.06. The applicant
has stated that he has been working in the aforesaid post for the past eight months
and he is fully qualified for the regular appointment and is also one of the aspirants
in response to the notification dated 20.6.06. According to the applicant the 4th**

respondent herein has been appointed in spite of the fact that he does not fulfill the requirements for such appointment. The applicant has preferred a representation dated 8.8.06 to the Sub Divisional Inspector (Posts), Muvattupuzha which is still pending.

2. We are of the considered view that, since no response has been made to the aforesaid representation dated 8.8.06, it will be premature, if this O.A. is considered on merit by this Tribunal. It will be appropriate to give a direction to the respondents to consider the representation of the applicant and pass a reasoned and speaking order. For that purpose, liberty is given to the applicant to make a fresh representation mentioning therein the extent of the deficiencies in respect of the 4th respondent and the plus points in favour of the applicant and also any other legal submissions so that the same would be considered by the respondents while passing any order. In case the applicant is aggrieved by the decision of the respondents, he is at liberty to move this Forum in accordance with law. Such an application shall be made within a period of two weeks from today in which event the respondents shall consider the same within four weeks from the date of receipt of the representation.

3. With the above directions, the O.A. is disposed of. No costs.

Dated the 18th August, 2006.



N.RAMAKRISHNAN
ADMINISTRATIVE MEMBER



K.B.S. RAJAN
JUDICIAL MEMBER