

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 593 1993.

DATE OF DECISION 7.4.93

C. Palaniyappan Applicant (s)

Mr. M.R.R. Nair Advocate for the Applicant (s)

Versus

The Assistant Supdt. of Post Respondent (s)  
Offices, South Sub Division, Palakkad and ~~the~~ another

Mr. George C.P. Tharakan, SCGS C Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. **N. DHARMADAN** JUDICIAL MEMBER

The Hon'ble Mr. **R. RANGARAJAN** ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. To be circulated to all Benches of the Tribunal? *No*

## JUDGEMENT

MR. N. DHARMADAN JUDICIAL MEMBER

Applicant is aggrieved by the 'cut off date' fixed by the Employment Officer while sponsoring names to the first respondent pursuant to the request for sending names in connection with regular selection to the post of E.D. Messenger Kodumba S.O.

2. According to the applicant, he is working as an outsider in various postoffices in the Palakkad District. He has not specified the post offices in which he has worked as provisional hand so as to get special consideration. However, he submitted that he studied upto SSLC and he ~~has~~ registered

with the Employment Exchange, Palakkad on 20.6.82. He further submitted that he is fully qualified for consideration and appointment as E.D. Messenger Kodumba S.O. but his name was not sponsored by the second respondent in view of the cut off date fixed in the notification.

3. At the time when the case was taken up for admission, we have heard learned counsel for respondents as well. He has no objection in disposing of the application with appropriate direction to the first respondent. He submitted that applicant has no preferential right to be considered but the fixation of cut off date by the respondent No. 2 cannot be sustained in view of the dictum laid down by this Tribunal in identical cases.

4. In view of the aforesaid submission, we are satisfied that interest of justice will be met in this case if we dispose of the case at the admission stage. Accordingly, we admit the application and dispose of ~~the same~~ by directing the first respondent to consider the applicant also in the regular selection to the post of E.D. Messenger Kodumba S.O. for which the applicant has submitted Ann.I representation, if he is otherwise qualified for consideration.

5. There will be no order as to costs.

  
(R. RANGARAJAN)  
ADMINISTRATIVE MEMBER

  
(N. DHARMADAN)  
JUDICIAL MEMBER

7.4.93

knn