

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**Original Application No.600/2009  
Dated the 28<sup>th</sup> day of August, 2009**

**CORAM :**

**HON'BLE Dr K B S RAJAN, JUDICIAL MEMBER  
HON'BLE Ms K NOORJEHAN, ADMINISTRATIVE MEMBER**

Rejikumar J GDSMD, Cheruvakkal P.O.,  
Melethil PuPuthen Veedu,  
Cheruvakkal P.O., Ayoor,  
Kollam District. ... Applicant

By Advocate Mr Vishnu S Chempazhanthiyil

V/s

- 1 The Sub Divisional Inspector of Posts,  
Punalur Sub Division,  
Punalur.
- 2 The Superintendent of Post Offices,  
Pathanamthitta Postal Division,  
Pathanamthitta.
- 3 Union of India, represented by the  
Chief Postmaster General,  
Kerala Circle,  
Thiruvananthapuram. ... Respondents

By Advocate Mr TPM Ibrahim Khan SCGSC

This application having been heard on 28<sup>th</sup> August, 2009, the Tribunal on the same day delivered the following

**(ORDER)**

**Hon'ble Dr K.B.S.RAJAN, Judicial Member**

The applicant has prayed for the following reliefs:-

- 1 Direct the respondents to extend the benefits of Annexure A3 to the applicant.
- 2 Direct the respondents to permit the applicant to continue in the post of GDSMD, Cheruvakkal P.O.



- 3 Any other further relief or order as this Hon'ble Court may deem fit and proper to meet the ends of justice.
- 4 Award the cost of these proceedings.

He has relied upon the decision of Hon'ble High Court of Kerala in Writ Petition (C)No.17727/2004(C) dated 1.3.2005 holding therein that the petitioner has been in service for more than three years, as a provisional hand, it has to be presumed that he will be entitled to the benefits arising from the circulars and hence has to be given employment.

The entire OA has to be treated as representation as the Annexure A-4 representation of the applicant would not obviously have been disposed of. It would thus be appropriate to dispose of this OA with a direction to the 2<sup>nd</sup> respondent to consider the entire OA alongwith the Annexure A-4 representation, as complete representation and the same shall be disposed of within two months from the date of receipt of copy of this order. This OA is disposed of at the admission stage without going into merits of the case.

mm -  
K NOORJEHAN  
ADMINISTRATIVE MEMBER

  
K B S RAJAN  
JUDICIAL MEMBER

abp