

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 606/92
~~XXXXXX~~

199

DATE OF DECISION 12.10.92

Eugin Francis Applicant (s)

Mr Thomas Mathew Advocate for the Applicant (s)

Versus

Asstt. Superintendent of Post
Offices, Trivandrum North Respondent (s)
Sub Division, Trivandrum-8
and other

Mr VV Sidharthan, ACGSC Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. **SP Mukerji, Vice Chairman**
and

The Hon'ble Mr. **AV Haridasan, Judicial 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

Shri SP Mukerji, Vice Chairman

In this application, the applicant who has been
working as an Extra Departmental Delivery Agent (EDDA),
Valia Veli Post Office has prayed for the following reliefs:

- "(A) To direct the respondents to consider the applicant for regular appointment as EDDA, Valiaveli P.O,
- (B) To direct the respondents to give weightage to the applicant for his past service and experience earned as EDDA, for regular appointment,
- (C) To declare that the applicant is a workman and is entitled to the benefits of Chapter V of the ID Act,
- (D) To grant such other reliefs which this Hon'ble Tribunal may deem fit, proper and just in the circumstances of the case,
- (E) To allow the applicant to realise the cost of these proceedings from the respondents."

2 When the case came up for arguments to-day, the learned counsel of both parties conceded that in accordance with the interim order passed by this Tribunal on 27.4.1992, the applicant also has been considered for selection. This ^{fact} ~~also~~ has been indicated clearly in the reply statement ^{also} filed by the respondents. ^{The} ~~The~~ counsel agreed that the O.A. can be disposed of at admission stage with directions.

3 Accordingly, we dispose of this application with the following directions to the respondents:-

(a) The regular appointment to the post held by the applicant shall abide ^{by} the results of the selection made by the respondents and in that selection the respondents are directed to give due weightage to the applicant for his past service and experience.

(b) If the applicant is not finally selected, his services can be terminated by the respondents only in accordance with Chapter-V of the I.D. Act and also in accordance with law.

(c) The applicant will have liberty, if so advised, to move this Tribunal in accordance with law, if he is aggrieved by the result of the selection.

(d) The applicant shall be continued in the post till he is replaced by the regularly selected candidate, in accordance with law.

4 There will be no order as to costs.


(AV Haridasan)
Judicial Member


(SP Mukerji)
Vice Chairman

12-10-1992