

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.610/04

Friday this the 13th day of August 2004

C O R A M :

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR. H.P.DAS, ADMINISTRATIVE MEMBER

Shivanand T.M.,
S/o.Krishnan Sivasakthi,
Thazhemadathil, Kadambure PO,
Edakkad, Kannur District.
G.D.S.M.D. Edakkad P.O.,
Kannur.

Applicant

(By Advocate Mr.C.P.Peethambaran)

Versus

1. The Chief Post Master General,
Thiruvananthapuram.
2. The Superintendent of Post Offices,
Thalassery Division, Thalassery.
3. The Sub Post Master,
Edakkadu Post Office,
Kannur District.
4. Union of India represented by
Secretary, Ministry of Communications,
New Delhi.

Respondents

(By Advocate Mr.K.R.Rajkumar,ACGSC)

This application having been heard on 13th August 2004 the Tribunal on the same day delivered the following :

O R D E R

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN

The applicant who has been working as a provisional GDS MD from 4.6.2004 and claiming to have been working as casual labour or substitute etc. intermittently for a long time submitted a representation (Annexure A-3) claiming regularisation on the post of GDS MD. Finding that his representation has not been considered and disposed of he has filed this application for a direction to the 1st and 2nd respondents to absorb the applicant in any of the vacancies of GDS MD or GDS MP available under the 2nd respondent and to dispose of Annexure A-3 representation.

2. Shri.K.R.Rajkumar,ACGSC took notice on behalf of the respondents. Shri.K.R.Rajkumar opposed the admission of the application. We have considered the case projected in the application as also the submissions of the learned counsel of the applicant. Learned counsel of the applicant has not been able to bring to our notice any rules or instructions which provide for regularisation of the service of a provisional ED Agent. Further the service profile of the applicant does not show that he has been continuously in service for three years on provisional basis requiring the authorities of Postal Department to place his name in the list for the purpose of considering alternate employment. Hence, we do not find any valid cause of action. The application is rejected under Section 19(3) of the Administrative Tribunals Act, 1985.

(Dated the 13th day of August 2004)

12.8.24
H.P.DAS
ADMINISTRATIVE MEMBER

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A.V.HARIDASAN
VICE CHAIRMAN