

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No. 610 of 2009

Wednesday, this the 10th day of February, 2010

CORAM:

Hon'ble Mr. George Paracken, Judicial Member

Hon'ble Mr. K. George Joseph, Administrative Member

D. Kaladharan, S/o. Damodaran, Aged 35,
 Gramin Dak Sevak Stamp Vendor, Chavara P.O.,
 residing at Plavelil Thekkethil, Kottakkakam,
 Chavara P.O.

Applicant

(By Advocate – Mr. M.R. Hariraj)

V e r s u s

1. Superintendent of Post Offices, Kollam Division,
 Kollam.

2. Chief Post Master General, Kerala Circle,
 Trivandrum.

3. Union of India, represented by Secretary to
 Government of India, Department of Posts,
 Ministry of Communications, New Delhi.

Respondents

(By Advocate – Mr. A.D. Raveendra Prasad, ACGSC)

The application having been heard on 10.02.2010, the Tribunal on the same day delivered the following:

O R D E R

By Hon'ble Mr. George Paracken, Judicial Member -

The applicant has filed this OA aggrieved by Annexure A-3 order dated 31.8.2009 by which his candidature for the examination for recruitment to the cadre of Postman for filling up of 2006 vacancies (both departmental and direct recruitment quota) proposed to be held on





13.9.2009 was rejected on the ground that he did not have minimum five years regular satisfactory service as Gramin Dak Sevak as stipulated in the Annexure A-1 notification dated 21.7.2009. Annexure A-2 is the subsequent notification issued on 21.8.2009 inviting applications for filling up of 2007 vacancies in the post of Postman.

2. When this OA was considered initially on 9.9.2009 for admission, this Tribunal has permitted the applicant provisionally to appear in the aforesaid examinations in terms of Annexures A-1 and A-2 notifications.

3. Later on, the respondents have filed their reply stating that the eligibility condition of five years regular satisfactory service prescribed in the Mail Guard Recruitment Rules, 1989 has been subsequently amended in 1994 and word "regular" was removed and only the words "five years satisfactory service" have been retained. Accordingly, the applicant's provisional service from 12.9.1999 was counted for reckoning the five years satisfactory service and he was made eligible to appear in the aforesaid examinations.

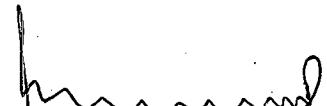
4. In view of the above decision of the respondents, the Annexure A-3 order dated 31.8.2009 of the respondents rejecting the candidature of the applicant for recruitment to the cadre of Postman for filling up of 2006 and 2007 vacancies as notified vide Annexures A-1 & A-2 notifications have lost their significance. Consequently, it goes without saying that the



applicant will be considered for appointment on the vacancy of Postman on the basis of his performance in the aforesaid examination. There shall be no order as to costs.



(K. GEORGE JOSEPH)
ADMINISTRATIVE MEMBER



(GEORGE PARACKEN)
JUDICIAL MEMBER

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