

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Miscellaneous Application No. 203 of 2010 &
Original Application No. 612 of 2009

Friday, this the 5th day of March, 2010

CORAM:

Hon'ble Mr. Justice K. Thankappan, Judicial Member
Hon'ble Mr. K. George Joseph, Administrative Member

Narmada. P.S., GDS SV,
 Thiruvananthapuram University P.O.,
 Pin-695 034.

Applicant

(By Advocate – Mr. Vishnu S. Chempazhanthiyil)

V e r s u s

1. Senior Superintendent of Post Offices,
 Thiruvananthapuram North Division,
 Thiruvananthapuram – 695 001.
2. Union of India, represented by the
 Chief Postmaster General, Kerala Circle,
 Thiruvananthapuram – 33.

Respondents

(By Advocate – Mr. Sunil Jacob Jose, SCGSC)

These applications having been heard on 05.3.2010, the Tribunal on the same day delivered the following:

O R D E R

By Hon'ble Mr. Justice K. Thankappan, Judicial Member -

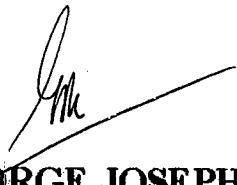
Miscellaneous Application No. 203 of 2010 is for early posting. However, we have heard the OA today itself. Accordingly, the MA stands allowed.

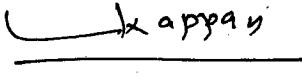
2. The short question involved in this Original Application is that

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whether the applicant is entitled for appearing in the examination for the post of Postman as he is qualified to appear in that examination. However, when Annexure A-3 notification was issued for appointment to the said post, it was stated that the candidates should have five years regular service but as per the rule itself, the only ~~necessity~~^{requirement} is five years satisfactory service. This question is also answered in the reply statement filed for and on behalf of the respondents admitting their own inadvertent omission crept in Annexure A-3 notification regarding the specification of five years regular service. It means that the claim of the applicant has to be allowed. However, we have also noted that as per the interim order passed by this Tribunal on 9.9.2009, this Tribunal permitted the applicant to sit in the examination and consequently he sat in the examination and the result has been published in Annexure R-1 and the applicant was successful and subsequently he was appointed to the post also.

3. In the above circumstances we are of the view that recording the above facts, the OA can be disposed of by directing the respondents to give all the consequential reliefs to the applicant as per law. No order as to costs.


 (K. GEORGE JOSEPH)
 ADMINISTRATIVE MEMBER


 (JUSTICE K. THANKAPPAN)
 JUDICIAL MEMBER

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