

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.79/98

Dated the 11th day of January, 2000.

CORAM:

HON'BLE SHRI A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE SHRI J.L.NEGI, MEMBER(A)

R.P.Hrishikeshan Nair,
Extra Departmental Delivery Agent,
Kandala Post Office,
Kualassery.

... Applicant

(By Advocate Mr. P.C.Chacko)

vs.

1. Union of India represented by
the Secretary, Ministry of Communications,
Department of Posts, Dak Bhavan,
New Delhi.
2. The Director General of Posts,
Department of Post,
New Delhi.
3. The Chief Postmaster General,
Kerala Circle, O/o. The Chief Post Master General,
Thiruvananthapuram.
4. The Superintendent of Post Offices,
Thiruvananthapuram South Division,
Thiruvananthapuram. ... Respondents

(By Advocate Sri Varghese P.Thomas)

This Application having been heard on 11.1.2000 the
Tribunal on the same day delivered the following:-

ORDER

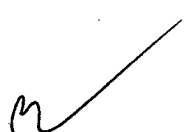
HON'BLE SHRI A.V.HARIDASAN, VICE CHAIRMAN: The applicant who
is presently working as Extra Departmental Delivery Agent
(EDDA for short), Kandala Sub Post Office applied for
appointment by transfer to the post of Extra Departmental
Branch Post Master (EDBPM for short) Veliyamcode P.O. in the
same place and under the same Sub Divisional Inspector. His
request dated 25.11.97 was turned down by the impugned order

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A5 dated 29.12.97 on the ground that working ED Agents are not eligible for transfer and appointment to another ED post. It is alleged in the application that according to the instructions issued by the DG(P&T), a working agent if willing to be appointed against another ED post falling vacant in the same office and in the same station, he could be appointed without being sponsored by the Employment Exchange and without being subjected to a selection.

2. Though the respondents filed a detailed reply statement opposing the application, when the O.A. came up for hearing the learned counsel for the respondents submitted that in view of the ruling of the Tribunal in O.A.45/98, the applicant is entitled to be appointed by transfer to the post of EDBPM, Veliyamcode P.O., that his appointment by transfer would be considered along with other ED Agents who might have similarly applied for transfer to the post and that the application may be disposed of with appropriate direction to the respondents in that behalf. Learned counsel for the applicant also submits that the application may be disposed of with direction to the respondents.

2. In the result, as agreed to by the learned counsel on either side, the application is disposed of declaring that the applicant is entitled to be considered for appointment by transfer as EDBPM, Veliyamcode Post Office and directing the respondents to consider the applicant for appointment by



transfer to the post of EDBPM, Veliyamcode P.O. alongwith similar other ED Agents who might have applied for such a transfer. We may also direct that recruitment from open market should be resorted only in case the applicant or other ED Agents, if any, who have applied for appointment by transfer are found not eligible and suitable for such transfer. No costs.


(J.L. NEGI)
MEMBER(A)


(A.V. HARIDASAN)
VICE CHAIRMAN

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