

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM

O.A. No. Dy. No. 373/91 ~~373~~ (C.A. No. 86/91)
T.A. No.

DATE OF DECISION 14-1-1990

KS Ambikadevi 'Applicant (s)

Mr MR Rajendran Nair Advocate for the Applicant (s)

Versus

Superintendent of Post Respondent (s)
Offices, Changannacherry & another

Mr TPM Ibrahim Khan Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. SP Mukerji, Vice Chairman

&

The Hon'ble Mr. AV Haridasan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. To be circulated to all Benches of the Tribunal?

JUDGEMENT

(Mr SP Mukerji, Vice Chairman)

In this application the applicant, who has been working as Extra Departmental Branch Post Master in NariCanani Post Office since 1.1.1991 on a provisional basis has prayed that her services should not be terminated and she should be ~~as entitled~~ declared to be considered for regular selection for appointment [^] to that post by giving her preference as a retrenched EDBPM, taking into account her past service. The brief facts of the case as averred in the application are as follows.

2. The applicant was appointed as substitute EDBPM ^{in 1982} ~~in 1982~~ for various periods since 1982. On 26.12.1989, the applicant was appointed on a provisional basis as EDBPM upto 10.7.1990

when she was replaced by the mail Overseer on 10.7.1990, and
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With effect from 1.8.1990 she was appointed again as EDDA. She was appointed again as EDBPM w.e.f. 1.1.1991 on a provisional basis. According to her, she had put in more than one year of service and she is entitled to the benefit of the Chapter-V-A of the Industrial Disputes Act. The applicant got her name registered with the Employment Exchange on 30.10.1983 and has passed SSLC Examination. Her claim is that as a retrenched EDBPM, she is entitled to get preference under Section 25-H of the I.D.Act.

3. We have heard the learned counsel for the parties and gone through the documents carefully. In conformity with the decisions taken by us in similar cases, so far as the consideration of working E.O.Agents for regular appointment to the same post held by them notwithstanding that they are not sponsored by the Employment Exchange, we admit the application and dispose of the same with the direction that the applicant on the basis of the averments made in her application should also be considered for regular appointment to the post of EDBPM, even if her name has not been sponsored by the Employment Exchange. The respondents are also directed that while considering her for regular appointment, the various benefits available to her under Chapter-V-A of the I.O.Act on the basis of her past service as averred by the applicant in the application and duly verified by the respondents may be accorded. The applicant should be continued in her present post till regular appointment is made thereon.


(AV HARIDASAN)
JUDICIAL MEMBER


14.1.91
(SP MUKERJI)
VICE CHAIRMAN