

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No. 87/99

Friday, this the 10th day of September, 1999.

CORAM:

HON'BLE MR AM SIVADAS, JUDICIAL MEMBER

HON'BLE MR G RAMAKRISHNAN, ADMINISTRATIVE MEMBER

C. Rajagopalan,
S/o. Krishnankutty (Late),
E.D. Carrier,
Pudur Branch Office,
Agali (via), Palakkad
District, residing at:
Chundhiyil House,
Thiruvizhiode P.O.,
Palakkad - 679 514.

...Applicant

By Advocate Mr. M.R. Rajendran Nair

Vs.

1. The Sub Divisional Inspector (Postal),
Mannarghat Sub Division, Mannarghat.
2. The Superintendent of Post Offices,
Ottappallam Division.

...Respondents

By Advocate Mr. Govindh K. Bharathan, SCGSC

The application having been heard on 10.9.99, the
Tribunal on the same day delivered the following:

ORDER

HON'BLE MR AM SIVADAS, JUDICIAL MEMBER

The applicant seeks to quash A-3, to declare
that the proposal to terminate the services of the applicant
is illegal and to direct the respondents not to terminate the
services of the applicant as E.D.M.C., Pudur and in the
alternative to declare that he is entitled to be considered
for alternative employment as E.D. Agent and direct the
respondents to provide alternative employment to the applicant
before his services are terminated.

2. A-3 dated 6.11.98 is a memo issued by the first respondent to the applicant to show cause why his services are not liable to be terminated. The applicant in response to A-3 has submitted A-4 dated 17.11.98. It is submitted by the learned counsel on both sides that A-4 has not been so far disposed of. The learned counsel appearing for the applicant submitted that since A-4 is not comprehensive, the applicant may be permitted to submit a supplemental representation. The learned counsel appearing for the respondents submitted that there is no objection in permitting the applicant to submit a supplemental representation and A-4 and the supplemental representation can be disposed of within a reasonable time.

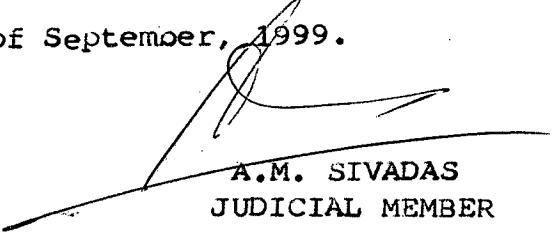
3. The learned counsel appearing for the applicant submitted that the respondents may be directed not to dispense with the services of the applicant immediately on disposal of A-4 and supplemental representation. We are unable to accept this submission for the reason that it cannot be presumed that A-4 and supplemental representation will only be turned down by the Department.

4. Accordingly, the applicant is permitted to submit a supplemental representation through proper channel to the first respondent within two weeks from today. On receipt of the supplemental representation, the first respondent shall consider A-4 and the supplemental representation and pass appropriate orders within three weeks from the date of receipt of the supplemental representation and shall communicate the orders to the applicant.

5. O.A. is disposed of as above. No costs.

Dated this the 10th day of September, 1999.


G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER


A.M. SIVADAS
JUDICIAL MEMBER

LIST OF ANNEXURES REFERRED TO IN THIS ORDER

1. Annexure A-3:

True copy of the Memo No.MC/BO/42 dated 6.11.98 issued by the 1st respondent.

2. Annexure A-4:

True copy of the representation dated 17.11.98 submitted by the applicant to the first respondent.