

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No. 91 of 2013

Monday, this the 11th day of November, 2013

CORAM:

Hon'ble Mr. Justice A.K. Basheer, Judicial Member

Hon'ble Mr. Rudhra Gangadharan, Administrative Member

Susamma Mathew, W/o. Cherian Vaidhyan,
 employed as Extra Departmental Mail Packer (EDMP)
 in the Cheppad Sub Post Office, Cheppad P.O.,
 Alappuzha District – 690 507, residing at Kottackattu
 Babu Vila, Kanjoor, Cheppad P.O., Pin-690 507.

Applicant

(By Advocate – Mr. Ashok M. Cherian)

V e r s u s

1. The Post Master General, Kerala,
 Department of Posts India,
 Office of the Post Master General, Ernakulam.

2. The Superintendent, Department of Posts India,
 Office of the Superintendent of Post Offices,
 Mavelikara Division, Mavelikara – 690 101.

3. The Post Master, Cheppad Sub Post Office,
 Cheppad P.O., Pin – 690 507.

4. The Union of India, represented by the Secretary to
 Government of India, Department of Posts,
 New Delhi, Pin – 110 001.

Respondents

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

This application having been heard on 11.11.2013, the Tribunal on the
 same day delivered the following:

O R D E R

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

Applicant is presently working as Extra Departmental Mail Packer
 (EDMP) at Cheppad Sub Post Office within the jurisdiction of respondent



No. 2. Her grievance appears to be that additional duties have been put on her shoulders without any rhyme or reason. She contends that apart from the heavy "indoor duties" that she is supposed to perform in Cheppad Post Office, she is now compelled to do extra work of travelling 14 Kms. to and from Evoor Post Office every day for collecting postal articles. According to her the said additional duty was cast on her when the Extra Departmental Delivery Agent of Evoor Post Office was relieved of those duties. Applicant has got a further case that she is suffering from some ailments connected with her old age. (She is 59). Applicant had approached respondent No. 1 seeking redressal of her grievances in 2010 when the above additional duties were cast on her shoulders. But the said representation was rejected as could be seen from Annexure A2 which is impugned in this Original Application.

2. We have carefully perused Annexure A2 order. As rightly pointed out by the learned counsel, Annexure A2 order does not refer to any of the contentions raised by the applicant. In other words Annexure A2 is totally non-speaking and cryptic. Learned counsel submits that applicant has submitted Annexure A-3 representation reiterating her contentions and grievances. However, we do not propose to refer to or deal with any of the contentions raised in this representation at this stage.

3. Keeping in view the entire facts and circumstances of the case we are satisfied that respondent No. 1 has to necessarily re-visit the issue and consider the grievances of the applicant afresh particularly since she has raised a contention that additional duties have been cast on her shoulders

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without any justifiable reason and that her present physical condition does not allow her to cope with the situation. In our view interest of justice will be met if respondent No. 1 considers the entire issue as highlighted by the applicant in Annexure A3 representation with an open mind. Therefore, Annexure A2 order is quashed.

4. The original application is disposed of with a direction to respondent No. 1 to consider Annexure A3 representation and take a decision thereon strictly on its merit and in accordance with the rules governing the field. This shall be done as expeditiously as possible at any rate within three months from the date of receipt of a copy of this order. Necessarily respondent No. 1 shall afford sufficient opportunity to the applicant to be heard in person before any decision is taken in the matter. We hasten to add that we have not considered the merit or de-merit of the contentions raised by the applicant.

No costs.

Rudhra
(RUDHRA GANGADHARAN)
ADMINISTRATIVE MEMBER

Amir
(JUSTICE A.K. BASHEER)
JUDICIAL MEMBER

“SA”