

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.91/2000

Friday this this 28th day of April, 2000

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

Boban K. Mathew
S/o Mathew, aged 30
Extra Departmental Mail Carrier,
Eranelloor PO, Kecheri.

...Applicant

(By Advocate Mr. P.C.Sebastian)

vs.

1. The Assistant Superintendent of Post Offices,
Trichur North Sub Division,
Trichur-1.
2. The Director General Posts,
Department of Posts,
Dak Bhavan, New Delhi.
3. The Union of India represented by
Secretary, Ministry of Communications,
Department of Posts,
New Delhi.

..Respondents

(By Advocate Mr. K.Kesavankutty)

The application having been heard on 28.4.2000, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant who is working as Extra Departmental Mail Carrier, Eranelloor PO, Kecheri submitted a request to the first respondent on 31.12.99 that he may be transferred to the existing vacancy of Extra Departmental Delivery Agent, Kolazhy PO. Since the first respondent had issued notification on 15.12.99 inviting applications from eligible candidates, the applicant apprehends that his candidature may not be considered for transfer to the aforesaid post. Hence he has filed this application seeking to have the Annexure.A1 notification set aside and for a declaration

that he is entitled to be considered for transfer to the existing vacancy of EDDA, Kolazhy in terms of the instructions contained in the letter of D.G. (Posts) dated 12.9.88 and for a direction to the respondents to consider his request for transfer in the light of the letter of the DG Posts and the judgment of the Tribunal in O.A.45/98.

2. The respondents have filed a reply statement contesting the claim of the applicant. However, when the application came up for final hearing today, learned counsel of the respondents stated that in view of the ruling of the Tribunal in O.A.45/98 the respondents do not wish to contest the claim of the applicant and that the O.A. may be disposed of directing the respondents to consider the request of the applicant for transfer to Kolazhy PO alongwith similar request, if any of working E.D.agents and that open market recruitment may be resorted to only if the applicant or other working ED Agents who have applied found ineligible or unsuitable.

3. In the light of the above submission of the counsel for the respondents, the application is disposed of declaring that the applicant a working E.D.Agent is entitled to be considered for appointment by transfer as EDDA, Kolazhy PO without being subjected to a selection ~~selection~~ along with outsiders and directing the respondents to consider the request of the applicant for transfer to the post of EDDA, Kolazhy PO along with similar requests, if any of other working E.D.Aagents, who have already applied, and only if the applicnat or

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other E.D.Agents who have applied for transfer are found ineligible or unsuitable for appointment as EDDA, Kolazhy open market selection should be resorted to. No order as to costs.

Dated the 28th day of April, 2000


A.V. HARIDASAN
VICE CHAIRMAN

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List of Annexures referred to

Annexure.A1:True copy of the Notification
No.DA/BO/Kolazhy dated 15.12.99 issued by
Ist respondent.

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