

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

FREE COPY U/R 22  
OF C.A.T. (PROCEDURE) RULES

O.A.No.37/2000 & 98/2000

Wednesday this the 8th day of March, 2000

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN  
HON'BLE MR. G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

O.A.No.37/2000

Bijumol N aged 30 years  
W/o Saju Vishwanathan,  
Paymochira, Kanakarai PO  
Alappuzha District  
EDMC, Thottuvathala Post Office,  
Alappuzha District.

..Applicant

(By Advocate: Mr. M. Sasindran (no representation)

vs.

1. The Superintendent of Post Offices,  
Alappuzha.
2. The Cheif Post Master General,  
Kerala Circle, Thiruvananthapuram.
3. Union of India represented by  
the Secretary to Government,  
Department of Posts, New Delhi.

...Respondents

(By Advocate Mr. T.C. Krishna, ACGSC)

O.A.No.98/2000

C. Alamma,  
Extra Departmental Mail Carrier  
Nedumudi PO,  
Alappuzha.

...Applicant

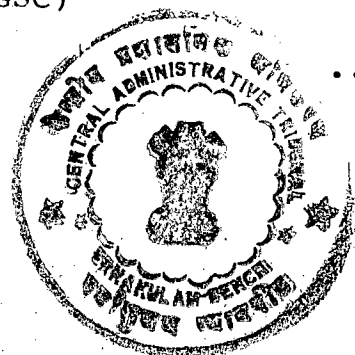
(By Advocate Ms. K. Indu)

vs.

1. Union of India represented by its  
Secretary, Ministry of Communications,  
New Delhi.
2. The Postmaster General,  
Central Region,  
O/o the Postmaster General,  
Kochi.
3. Superintendent of Post Offices,  
Alappuzha.

...Respondents

(By Advocate Mr. S.K.Balachandran, ACGSC)



The applications having been heard on 8.3.2000, the Tribunal on the same day delivered the following:

O R D E R

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

Both these applications can be considered and disposed of jointly because they relate to appointment to the post of EDSPM, Nedumudi P ost Office. The applicants in these two cases who are working as E.D.Agent have prayed that the respondents be directed to desist from appointing any other person as EDSPM, Nedumudi but consider the case of the applicants for a transfer to the said post.

2. The respondents in O.A.37/2000 have filed a reply statement in which it is interalia, contended that as it has not yet finalised as to whether any claim for compassionate appointment has to be met, the vacancy of EDSPM, Nedumudi is being filled for the time being only on a provisional basis and therefore, the applicant in OA 37/2000 who is a regular E.D. Agent cannot be considered for transfer on a provisional basis. The applicant in OA. 37/2000 filed a rejoinder in which it is stated that the husband of the earlier incumbent in the post of EDSPM, Nedumudi is a government servant and the children are minor and therefore the claim for compassionate appointment would not arise.

3. The respondents in O.A.98/2000 have not filed any reply statement. However, when the application came up for hearing on admission, the counsel appearing for the parties in these two cases suggested that the applications may be disposed of directing the respondents that as and

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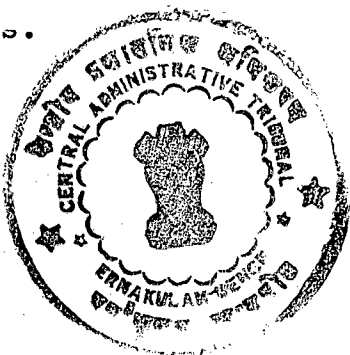
when the post of EDSPM, Nedumudi is being filled on a regular basis by the respondents, they shall consider the request of the applicants in both the cases for a transfer and appointment to the post of EDSPM, Nedumudi along with any other E.D.Agent who applies before resorting to filling up the post by making recruitment from open market.

4. In the light of the above submission of the learned counsel the original applications are disposed of directing the respondents that when the post of EDSPM, Nedumudi would be filled on a regular basis otherwise then by compassionate appointment the claims of these applicants for transfer to that post shall first be considered along with the claim of other working E.D.Agents<sup>and</sup>/only failing which recruitment from open market shall be resorted to. There is no order as to costs.

Dated the 8th day of March, 2000

Sd/-  
G.RAMAKRISHNAN  
ADMINISTRATIVE MEMBER

Sd/-  
A.V. HARIDASAN  
VICE CHAIRMAN



CERTIFIED TRUE COPY

Date 14.3.2000

Deputy Registrar