

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

O.A. No. 102/87

1. Lissy Chacko	I	
2. V. B. Sarala	I	
3. Tessy Antony	I	
4. K. J. Teresa		Applicants
5. Daisy Joseph V.J.	I	
6. Molly T. V.	I	
7. K. Ratnakala	I	
8. Josy Joseph V. J.	I	

Vs.

1. Director General of Posts, Dakdar Bhavan, New Delhi-1	I	
2. Postmaster General, Trivandrum-35	I	
3. Superintendent of Post Offices, Alwaye Division	I	Respondents
4. Ramachandran, Short Duty Postal Assistant, Muvattupuzha H.P.O. Alwaye Division.	I	
5. Haridas, Short Duty Postal Assistant, Muvattupuzha H.P.O. Alwaye Division.	I	

M/s. K. Ramakumar
C. P. Ravindranath
E. M. Joseph

Counsel for the
applicants

Mr. P.V. Madhavan Nambiar, SCGSC

Counsel for the
respondents 1, 2 & 3

M/s. O.V. Radhakrishnan
K. Radhamani Amma
V. N. Subhangan
Raju K. Mathew

Counsel for the
respondents 4 & 5

CORAM:

Hon'ble Shri Justice G. Ramanujam,
Vice Chairman

&

Hon'ble Shri C. Venkataraman,
Administrative Member

(ORDER pronounced by Hon'ble Vice Chairman)

In this case, the interim order for a period of six weeks has been passed against the appointment of outsiders other than Reserved Trained Pool candidates in the Always Division in any of the existing vacancies. However, a perusal of para 6(ii) of the application shows that an exception has been made in respect of appointments made on compassionate grounds. ~~and~~ However, without reference to the exception, blanket interim order has been granted in the matter of appointments of persons in the Reserved Trained Pool. Now it is pointed out by the counsel for the respondents 4 & 5 that persons who have been appointed on compassionate grounds by order, dated 16.5.1986 and 2.12.1986 are not in a position to take up the posts in view of the interim order passed in this case. Having regard to the fact that it is only the outsiders other than the persons appointed on compassionate grounds ~~are contemplated by~~ ^{that} the interim order, we hereby direct the interim order passed by the Tribunal will not stand in the way of respondents 4 & 5 joining ~~to~~ the post to which they

are posted on compassionate grounds. The interim order passed on 6.2.1987 stands accordingly modified.

2. Having regard to the counter affidavit filed by the respondents 1 to 3, the prayer sought for by the applicants in the main application O.A. 102/87 can be allowed straightaway. The applicants' claim in the main application is that/they were ~~not~~ ^{though} selected and kept in the Reserved Trained Pool for short RTP, they should be considered for appointment as against regular vacancies instead of bringing people from outside. // The Department has already issued directions that excepting appointments on compassionate grounds, no outsider candidates will be appointed in preference to the persons who are kept in the RTP. Even in the counter affidavit filed before us, the respondents have stated that in view of the imposition of the ban of filling up of the posts with effect from 1.4.1987 by the Government of India, they are not in a position to absorb the RTP candidates. Now that the ban has been lifted, the persons in the RTP will be considered in their turn for absorption in the future vacancies. At present, there are no existing vacancies in the Alwaye Division for absorbing persons from the RTP. Now that the respondents have categorically stated in the counter affidavit filed before us that the

RTP candidates will be considered for absorption in their turn in the future vacancies and that ^{as and} when vacancies arise, the applicants' prayer may be allowed. The respondents are therefore directed to consider the absorption of the applicants for regular vacancies according to their turn and no outsiders could be brought in before exhausting the RTP list. This is, however, subject to the exception we have already referred to ^{with regard to} the respondents 4 & 5 who are persons appointed on compassionate ground.

3. The application is allowed accordingly.

C Venkataraman

G

(C. Venkataraman)
Administrative Member
9.11.1987

(G. Ramanujam)
Vice Chairman
9.11.1987

Index: Yes/No

KMN