

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. NO. 104 OF 2010

Friday, this the 4th day of June, 2010.

CORAM:

**HON'BLE Mr.JUSTICE K.THANKAPPAN, JUDICIAL MEMBER
HON'BLE Mr. K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER**

M.Murugan
GDS MP Public Office P.O
Thiruvananthapuram – 33

... Applicant

(By Advocate Mr.Vishnu S Chempazhanthiyil)

versus

1. The Senior Superintendent of Post Offices
Thiruvananthapuram North Postal Division
Thiruvananthapuram

2. The Chief Postmaster General
Kerala Circle
Thiruvananthapuram

... Respondents

(By Advocate Mr Varghese P Thomas.)


The application having been heard on 04.06.2010, the Tribunal on the same day delivered the following:

ORDER

HON'BLE Mr.JUSTICE K.THANKAPPAN, JUDICIAL MEMBER

The grievance of the applicant has been considered by the Department and as per the reply statement, it is admitted that his case will be considered alongwith other applicants and preference, if any, will also be considered in that matter. Para 4 of the reply statement is as under:-

" At the outset it is submitted that the apprehension raised by the applicant that he will not be considered for appointment as Group D while implementing the Annexure A-1 judgment and that the relief is being confined only to those who have secured judgments in their favour is not true to facts. In fact, this Hon'ble Tribunal may recall that the respondents themselves had raised this issue in the affidavits which were filed in the series of contempt petitions pending at present before the Tribunal CP(C) No.100/09 in OA 221/08 and other similar cases). the respondents had in



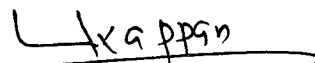
the said affidavits pointed out that there were many other eligible GD Sevaks other than those who are eligible for appointment as Group D and that if appointments are restricted to the applicants alone, such Senior GD Sevaks will then be moving the Court claiming appointment which will complicate the issue even more. This Tribunal had considered the said issue, in its common order dated 16.4.2010 in the said C.P(C) had directed the respondents to consider all the eligible GD Sevaks of the concerned Divisions based on their seniority and other eligibility conditions while implementing the Annexure A-1 common judgment. The respondents have also taken a decision to take action accordingly and orders in this regard will be issued shortly. As such, when the A-1 judgment is implemented, the applicant will also be considered alongwith other eligible GDS of Trivandrum North Division based on his seniority and other parameters and if he comes within the zone of consideration, he will be considered for appointment as Group D based on the vacancies available in the said Division."

2. Recording the above submission, we feel that this OA can be closed. Accordingly OA stands closed. We have heard the counsel appearing for the parties. No order as to costs.

Dated, the 4th June, 2010



K GEORGE JOSEPH
ADMINISTRATIVE MEMBER



JUSTICE K.THANKAPPAN
JUDICIAL MEMBER

VS