

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA 124/2000.

Thursday the 3rd day of February, 2000.

CORAM

HON'BLE MR A.M.SIVADAS, JUDICIAL MEMBER

Manusha M.A.
S/o Ayyappan
Manappattil House
Amballur P.O.
Ernakulam District.

...Applicant

(By advocate Mr P.P.Jacob)

Versus

1. Senior Supdt. of Post Offices
Ernakulam Division, Kochi.
2. Sub Divisional Inspector
Department of Posts
Tripunithura.
3. Assistant Supdt. of Post Offices
Kochi Sub Division, Kochi.
4. Union of India represented by
Secretary, Ministry of Communication
New Delhi.

..Respondents

(By advocate Mr T.A.Unnikrishnan, ACGSC)

The application having been heard on 3rd February, 2000, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR A.M.SIVADAS, JUDICIAL MEMBER

Applicant seeks to set aside all process of selection initiated by the 2nd respondent to fill up the post of Extra Departmental Delivery Agent in the Amballur Branch Post Office and to direct "the respondent" to consider the candidature of the applicant based on A3 application for the post of Extra Departmental Delivery Agent in the Amballoor Branch P.O. under the second respondent and also to pass orders on A6 representation and till such period it is disposed of not to fill up the post of EDDA at Amballoor Branch P.O.



2. The first relief sought is to set aside the selection conducted by the second respondent for filling up the post of Extra Departmental Delivery Agent in the Amballoor Branch Post Office. In para 3 of the OA it is stated that it is reliably understood that one Alice hailing from Kanninadu Puthencruz is selected for the post. When it is the admitted case of the applicant that the said Alice has been selected for the post in question, the said Alice should have been brought in the party array. For reasons best known to the applicant, he has not chosen to bring the said Alice in the party array.

3. The second relief sought is to direct "the respondent" to consider the candidature of the applicant based on A3 application. Who is "the respondent" being not clear, I asked the learned counsel of the applicant. It was submitted across the Bar that "the respondent" is the second respondent. Applicant says that A3 was submitted by him for the purpose of considering him for the post of EDDA, Amballoor Branch P.O. It is very much doubtful whether the person who has submitted A3 application is the applicant in this OA for the reason that the date of birth of the person who has submitted A3 is shown as 30.5.1970 in column 6 of A3, that in column 7 of A3 his age is shown as 29 and that in the OA it is stated that the applicant's age is 28.

4. The question to consider the candidature of the applicant will arise only if the selection already held is set aside. The same cannot be done in the absence of the person who is admittedly selected.



5. The other relief sought is to direct the first respondent to consider and pass orders on A6. A6 is dated 20.1.2000. This OA was filed on 2.2.2000. The applicant cannot within a span of 12 days rush to the Tribunal and seek a direction to dispose of the representation. He should have waited for a period of six months. That has not been done. That being so, the prayer for a direction to consider and pass orders on A6 is premature.

6. I do not find any ground to admit the application.

7. Original Application is accordingly dismissed.

Dated 3rd February, 2000.



A.M. SIVADAS
JUDICIAL MEMBER

aa.

Annexures referred to in this order:

A-3: True copy of application submitted by the applicant before the second respondent dated 18.9.99.

A-6: True copy of representation dated 20.1.2000 submitted by the applicant before the first respondent.