

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 124 of 2003

Thursday, this the 20th day of February, 2003

CORAM

HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER
HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER

1. K.K. Radhamony,
Alunilkumkalayil,
Vayyattupuzha PO,
Chittar-Seethathode Village, Ranny Taluk.
Working as Gramin Dak Sevak Mail Packer,
Thannithodu Sub Post Office.Applicant

[By Advocate Mr. Babu Cherukara]

Versus

1. Union of India represented by the
Secretary to Department of Posts,
Dak Bhavan, New Delhi.

2. The Superintendent of Post Offices,
Pathanamthitta Postal Division,
Pathanamthitta.Respondents

[By Advocate Mr. N.M. James, ACGSC]

The application having been heard on 20-2-2003, the
Tribunal on the same day delivered the following:

ORDER

HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

The applicant, Smt. K.K. Radhamony, currently working as Gramin Dak Sevak Mail Packer (GDSMP for short) at Thannithodu Sub Post Office, had, in response to Annexure A1 circular dated 3-1-2003 of the 2nd respondent calling for applications from eligible Gramin Dak Sevaks for being considered for the post of Gramin Dak Sevak Branch Postmaster, Neeliplavu Branch Office in account with Chittar Sub Office under Pathanamthitta Head Office, applied for the same by Annexure A2/A2(a) request letter dated 14-1-2003. According to the applicant, she is eligible to be considered for the said post, since she has secured 273/600 marks in the SSLC

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examination and she has immovable property with some independent income. She also fulfils other eligibility conditions, according to her. While being so, instead of acting on her request in accordance with the instructions on the matter, the 2nd respondent by Annexure A5 notification has called for applications from general public for the very same post of GDSBPM, Neeliplavu Branch Office. The applicant is aggrieved that her request has not been acted upon in accordance with the terms and conditions contained in Annexure A1. She seeks the following main reliefs:-

- "(a) order to set aside Annexure-A5 notification since it is a notification without cancelling Annexure A1 notification which is in force.
- (b) order directing the 2nd respondent to consider and dispose of Annexure A2 application filed by the applicant."

2. When the matter came up for hearing on admission, Shri N.M.James, learned ACGSC, who took notice for the respondents, has initially sought some time for getting instructions in the matter in view of the inherent contradiction between Annexure A1 and Annexure A5 brought to his notice. However, the learned ACGSC has been fair enough to agree that the respondents may, if the Tribunal so directs, consider the applicant's A2 request and give an appropriate reply, if it is not already considered, and pass orders. One of the prayers in the OA is to issue a direction to the respondents to consider the applicant's A2 request and pass appropriate orders. Learned counsel for the applicant too submits that if the respondents considered the applicant's A2 request and passed appropriate orders thereon, the purpose of this OA would be served.

3. In the light of the submissions made by the learned counsel on either side, we consider it appropriate to dispose of this OA by directing the 2nd respondent to immediately

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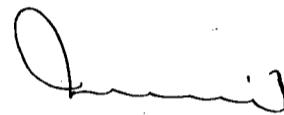
consider the applicant's A2 request in pursuance of Annexure A1 circular dated 3-1-2003 and pass appropriate orders, in view of the fact that the applicant is a GDSMP at Thannithodu Sub Post Office and claims to have fulfilled all other eligibility conditions. Appropriate orders in this regard after due consideration of A2 shall be passed within two months until which time the respondents shall not act upon Annexure A5 notification.

4. The Original Application is disposed of as above.
There is no order as to costs.

Thursday, this the 20th day of February, 2003



K.V. SACHIDANANDAN
JUDICIAL MEMBER



T.N.T. NAYAR
ADMINISTRATIVE MEMBER

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