

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.Nos.127/94 & 153/94.

Wednesday, this the 9th day of March, 1994.

C O R A M

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN  
HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

....

CV Varkey, Cheradi,  
Vakkuvally, Vengoor P.O.

....Applicant in OA 127/94.

VK Chakkappan,  
ED Mail Carrier,  
Choondakuzhi, residing at  
Veepanattu House,  
Vengoor P.O.

....Applicant in OA 153/94.

By Advocate Shri MR Rajendran Nair.

Vs.

1. The Senior Superintendent of Post Offices,  
Aluva.
2. The Sub Divisional Inspector (Postal),  
Perumbavoor.
3. The Town Employment Exchange Officer,  
Aluva.
4. TV Kuriakose, Thekkumpurathu,  
Vengoor P.O.

....Respondents in OA 127/94.

R. 1&2 by Shri V Ajit Narayanan, ACGSC.  
R. 3 by Shri D Sreekumar, G.P.  
R. 4 by Advocate Shri OV Radhakrishnan.

1. The Sub Divisional Inspector (Postal),  
Perumbavoor.
2. The Senior Superintendent of Post Offices,  
Aluva.
3. Union of India represented by  
Secretary, Department of Posts,  
New Delhi.

....Respondents in OA 153/94.

By Shri George Joseph, Addl Central Govt Standing Counsel.

O R D E R

CHETTUR SANKARAN NAIR (J), VICE CHAIRMAN



in the Choondakuzhi Post Office. He submits that he registered his name with the Employment Exchange on 30.6.1976, and that his name has not been sponsored by Respondent-3. In the absence of a notification inviting applications for the post, it is said that the selection of Respondent-4 is bad. In answer, respondents would submit that it is not necessary to invite applications, when the Employment Exchange is in a position to sponsor enough candidates, and that in spite of his priority in registration, applicant was not sponsored as he resided within the jurisdiction of Vengoor and not Choondakuzhi. Since the mail is carried from Vengoor to Choondakuzhi, according to applicant he fulfils the residential qualification. He would also submit, referring to decision of the Tribunal, that residential qualification can be insisted upon only after selection. It is also said that Respondent-4 is also a resident of Vengoor.

2. We think that a fact adjudication must be made before pronouncing finally on the contentions raised regarding residence. Applicant may move the Chief Postmaster General with his grievances within ten days from today. Simultaneously, Respondent-4 may also state his case before the Chief Postmaster General and he shall consider the rival contentions, and pass appropriate orders within six weeks of the date of receipt of the representation by the applicant.

3. As an adhoc measure, applicant in OA 153/94 will be allowed to continue as an Extra Departmental Mail Carrier, Choondakuzhi Post Office. His case is that he should be accommodated as an Extra Departmental Mail Carrier, Kumbanad. He would submit that as a retrenched Extra Departmental Agent of more than three years' experience, he is entitled to get preference in the matter of appointment. He will be considered for such appointment subject to the rules for the vacancy at Kumbanad.

4. With these directions, applications are disposed of. No costs.

Dated the 9th March, 1994.

Sd/-

PV VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER

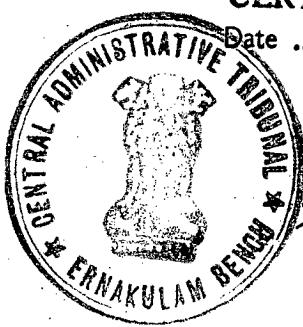
Sd/-

CHETTUR SANKARAN NAIR (J)  
VICE CHAIRMAN

CERTIFIED TRUE COPY

Date ... 28.3.94 .....

Deputy Registrar



28/3 M. Jay