

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.131/2004.

Thursday this the 19th day of February 2004.

CORAM:

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR.H.P.DAS, ADMINISTRATIVE MEMBER

George Thomas,
Gramin Dak Sevak Mail Carrier,
Paloorkavu P.O., residing at:
Manayath House, Chellarkoil P.O.,
Kumily, PIN:685 509. Applicant

(By Advocate Shri.P.C.Sebastian)

vs.

1. The Post Master General, Central Region,
Kochi-682 016.
2. The Superintendent of Post Offices,
Idukki Division, Thodupuzha.
3. The Sub Divisional Inspector of Post Offices,
Peermadu Sub Division,
Peermadu, PIN-685 531.
4. The Union of India represented by Secretary
to Government of India,
Ministry of Communications,
Department of Posts,
New Delhi. Respondents

(By Advocate Mrs. Mariam Mathai, ACGSC)

The application having been heard on 19-2-2004, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.KV.SACHIDANANDAN, JUDICIAL MEMBER

The applicant who was working as Gramin Dak Sevak Mail Carrier (GDSMC for short) at Chellarkoil P.O. on permanent basis was transferred to Paloorkavu P.O. for the reason that the said post was abolished consequent on the mechanisation of the Kumily-Chellarkoil mail route. He was given it as an alternate appointment as GDSMC to Paloorkavu Post Office, at a distance of about 75 kms. away from his residence since no other vacancy was available at Chellarkoil P.O. at that time. The applicant in the O.A. averred that now it is available a vacancy of GDSMC at Kochara P.O. where only a distance of 4 kms from the applicant's

A graph showing a function that starts with a sharp, vertical peak, followed by a smooth, wavy curve that decays towards the x-axis.

original place of appointment. Knowing that the said post would become vacant from 30.9.02, the applicant submitted a representationn (A2) on 15.9.2002 for which no reply was received and again he made another representation dated 15.10.2003, which was also not responded. Aggrieved by the in action on the part of the resopondents the applicant has filed this O.A. seeking the following reliefs:

- i. to declare that applicant is entitled to be considered for appointment by transfer to the existing vacancy of Gramin Dak Sevak Mail Carrier, Kochara Post Office;
- ii. to issue appropriate directions to respondents 1 to 3 to consider applicant for appointment by transfer as GDSMC, Kochara Post Office and pass necessary orders without further delay;
- iii. to direct the Ist respondent to consider Annexure A-3 representation and dispose of the same keeping in mind the extant rules standing instructions and the decision of this Hon'ble Tribunal in O.A.45/98 and other similar cases;
- iv. to grant such other relief which may be prayed for and which this Hon'ble Tribunal may deem fit and proper to grant in the facts and circumstances of the case;
- v. to award costs in favour of the applicant.

2. When the O.A. came up before the Bench, Shri P.C. Sebastian appeared for the applicant and Smt. Mariam Mathai, ACGSC appeared for the respondents. Counsel for applicant submitted that the applicant would be satisfied if a limited direction is given to the Ist respondent to consider and dispose of the applicant's 2nd representation (A3) and to pass an appropriate order within a time frame. Learned counsel for respondents submitted that the respondents have no objection in adopting such a course of action.

3. In the interests of justice, We direct the Ist respondent to consider ~~and dispose of~~ A-3 representation submitted by the



and to pass appropriate orders
applicant within a period of two months from the date of receipt
of a copy of this order.

4. O.A. is disposed of as above. In the circumstance no
order as to costs.

Dated: 19-2-2004.

H. P. DAS
ADMINISTRATIVE MEMBER

K. V. SACHIDANANDAN
JUDICIAL MEMBER

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