

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A.No.140/97

Friday this, the 21st day of February, 1997.

CORAM:

HON'BLE SHRI A.V.HARIDASAN, VICE CHAIRMAN

HON'BLE SHRI P.V.VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

K.Santhosh,  
Extra Departmental Mail Carrier,  
Malayamma P.O.

.. Applicant

(By Advocate Mr.M.R.Rajendran Nair)

vs.

The Senior Superintendent of Post Offices, Kozhikode. ..Respondent

(By Advocate Mr.James J.Nedumpara for Mr.Mathews J Nedumpara, ACGSC)

The application having been heard on 21.2.1997, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE SHRI A.V.HARIDASAN, VICE CHAIRMAN:

Applicant who is working as Extra Departmental Mail Carrier, Malayamma has filed this application for the following reliefs:

- "i) To declare that the applicant is entitled to be considered for regular appointment as Extra Departmental Mail Carrier, Malayamma P.O. and direct the respondent to consider the applicant for regular appointment as Extra Departmental Mail Carrier, Malayamma P.O.
- ii) Direct the respondents to confer temporary status to applicant with effect from 18.6.91, the date on which he has completed 240 days service in an year, with consequential benefits.
- iii) Declare that the applicant is entitled to be continued till regular selection and appointment is made in the post of Extra Departmental Mail Carrier, Malayamma and
- iv) To direct the respondents to pay the salary due to applicant for the month of November-December 1996 and also to pay bonus

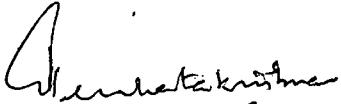
for the period of 1991-96 with 18% interest per annum.

- v) Grant such other reliefs as may be prayed for and the Tribunal may deem fit to grant, and,
- vi) Grant the cost of this Original Application."

2. Learned counsel for the respondent under instructions from the department states that the applicant will not be thrown out immediately and his termination if necessary will be only on a regular selection being made considering him also for such selection. Regarding the non-payment of allowances for three months, the learned counsel states that if the allowances have not been paid for this period, payment will be made to him within a period of one month from today. Learned counsel for the applicant states that the application may be disposed of with a direction to the respondents to continue the applicant in service till a regular selection and appointment is made considering him also in accordance with the rules and to pay him the allowances which is due to him. As regards the other grievances, the applicant would take up the matter with the department.

3. In the result, the application is disposed of with a direction to the respondent not to replace the applicant by another provisional hand and to continue him till a regular selection is made after considering the applicant also for such selection. Respondent is also directed to disburse to the applicant the unpaid allowances within one month from today. The applicant may take up his further grievances with the department. No order as to costs.

Dated the 21st February, 1997.

  
P.V. VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER

  
A.V. HARIDASAN  
VICE CHAIRMAN