

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No.140/2000

Wednesday, this the 9th day of February, 2000.

CORAM:

HON'BLE MR AM SIVADAS, JUDICIAL MEMBER

HON'BLE MR G RAMAKRISHNAN, ADMINISTRATIVE MEMBER

Anilkumar A.H.,
S/o. Haridasan,
Athazhappillil House,
Udayamperoor P.O.,
Tripunithura.

...Applicant

By Advocate Mr. Babu Cherukara

Vs.

1. The Senior Superintendent of Post Offices, Ernakulam Division, Ernakulam.
2. The Sub Divisional Inspector of Post Offices, Tripunithura Sub Division.
3. Union of India, represented by the Secretary, Department of Posts, Dak Bhavan, New Delhi.

...Respondents

By Advocate Ms. I. Sheela Devi, ACGSC

The application having been heard on 9.2.2000, the Tribunal on the same day delivered the following:

ORDER

HON'BLE MR AM SIVADAS, JUDICIAL MEMBER

The applicant seeks to direct the respondents to give him an opportunity to attend as a candidate in the selection process for Extra Departmental Delivery Agent at Amballoor Post Office and to quash the selection proceedings of Extra Departmental Delivery Agent at Kanjiramattom for which the applicant applied as per A-3.

2. The applicant says that he was working as an Extra Departmental Agent in various post offices within the Postal Sub Division, Tripunithura. In the month of August, 1999, the 2nd respondent invited applications from candidates for the

contd..2/-



appointment of Extra Departmental Delivery Agent at Udayamperoor Post Office, Kanjiramattom Post Office, Amballoor Post Office and Arakunnam Post Office apart for Extra Departmental Packer at Irumpanam Post Office. He has already submitted applications for those posts. Out of 5 posts to which the applicant has applied, 3 posts are filled up by transfer. Out of the remaining 2 posts, interview for the post of Extra Departmental Delivery Agent, Kanjiramattom was conducted by the respondents on 17.1.2000. The applicant was not called for the interview. Respondents did not consider the applicant for the reason that they want to help certain candidates in whom they are interested. Action of the respondents is vitiated by malafides.

3. Though the applicant alleges malafides against the respondents, there is no one in the party array of respondents by name. If the applicant alleges malafides, person or persons against whom he alleges malafides should be brought in the party array of respondents by name. Since, it is not done, the question of malafides cannot be looked into.

4. The applicant says that the 2nd respondent invited applications for the post of Extra Departmental Delivery Agents at 5 places. No copy of the notification inviting applications is produced. If there was a notification, in the notification, it would have been stated the last date of receipt of applications also. Though the applicant says that notification was issued in the month of August, 1999, for filling up the post of Extra Departmental Delivery Agents at 5 places, the applicant has felt it very convenient not to mention the last date of receipt of

contd.. 3/-



applications as per the notification. It can well be a case that the applicant would not have applied within time and if notification copy is produced, that will clearly reveal the last date of receipt of applications which will not be conducive to the interest of the applicant. There is no question of considering the applicant unless he has applied within time. We are entirely left in the dark by the applicant as to whether he has applied within the time prescribed in the notification, if there was a notification.

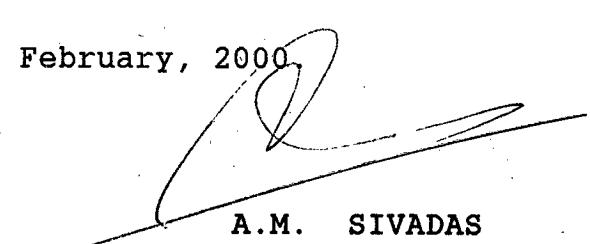
5. The applicant says that as far as the post of Extra Departmental Delivery Agent, Kanjiramattom is concerned, interview was already held on 17.1.2000. It is not stated whether anybody was selected in the interview and if the selected candidate was appointed.

6. We do not find any ground to admit the O.A.

7. Accordingly, the O.A. is dismissed.

Dated this the 9th day of February, 2000.


G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER


A.M. SIVADAS
JUDICIAL MEMBER

nv/9/2/2000

LIST OF ANNEXURES REFERRED TO IN THIS ORDER

Annexure A-3: True photostat copy of the application dated 10.9.1999 submitted by the applicant to the 2nd respondent for the post of EDDA at Amballoor P.O.