

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.150/2001

Thursday this the 8th day of February, 2001

CORAM:

HON'BLE SHRI A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE SHRI T.N.T.NAYAR, MEMBER (A)

P.Raju,
Ajitha Vilasam,
Near F.C.I.,
Kazhakoottam Post,
Trivandrum. . . Applicant

(By Advocate Sri K.C.Eldho)

vs.

1. The Chief Post Master General,
Kerala Circle, Trivandrum.
2. The Senior Superintendent of Post Offices,
North Division, Trivandrum.
3. The Post Master,
Pallithura Post Office,
Trivandrum.
4. Asst. Superintendent of Post Office,
Trivandrum North Sub Division,
Thiruvananthapuram-695033.
5. Union of India, represented by the
Secretary to the Government,
Department of Post & Telegraph,
Central Secretariat, New Delhi.

(By Advocate Sri K.V.Sachidanandan)

The Application having been heard on 8.2.2001, the Tribunal
on the same day delivered the following:-

O R D E R

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

The applicant who claims to have served as Extra
Departmental Delivery Agent (EDDA for short) as a substitute of
the original incumbent from 19.8.94 to 31.3.95 and from
November, 1997 till August, 98 has now filed this application

seeking to have A-2 notification set aside and for a direction to the respondents 1 to 4 to appoint the applicant to the post of ED Agent in the vacancy notified in A-2. It has been stated that the notification issued without resorting to calling for nominations from the Employment Exchange is against the rules in regard to appointment to ED post and that by resorting to recruitment through notification, the right of the applicant for preferential claim has been ignored.

2. Going by the averments in the application itself, the applicant was only a substitute of an ED Agent for some time past. He was not serving provisionally as ED Agent. In the rules in regard to appointment to ED post, no right is conferred on a substitute. Though an ED Agent retrenched has a preferential right for being accommodated on alternative jobs, such a preference is available only to a provisional ED Agent who has at the time of discharge put in three years of service. The applicant is neither a provisional ED Agent nor has he got three years of service. We do not find any infirmity in the process of recruitment initiated by Annexure A2. The applicant has no locus standi to file this application. The application is therefore rejected under Section 19(3) of the AT Act, 1985.



(T.N.T.NAYAR)
MEMBER (A)



(A.V.HARIDASAN)
VICE CHAIRMAN

LIST OF ANNEXURES REFERRED TO IN THE ORDER:

A-2: True copy of the notice issued by the Asstt. Superintendent of Post Office, Trivandrum, North Division dated 2.1.2001.