

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A. No.152/97

Tuesday this, the 28th day of January, 1997.

CORAM:

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

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

N.G.Jayaraj,  
Nambiath House,  
Vadayampady P.O.  
Extra Departmental Delivery Agent,  
Vadayampady P.O.  
Puthencruz,  
Ernakulam District.

.. Applicant

(By Advocate Mr. P.C.Sebastian)

vs.

1. The Sub Divisional Inspector of Post Offices,  
Tripunithura Sub Division,  
Tripunithura.

2. The Employment Officer,  
Employment Exchange,  
Perumbavoor.

3. The Post Master General,  
Central Region,  
Kochi- 682 016.

.. Respondents

(By Advocate Mr.MJH David J)

O R D E R

A.V.HARIDASAN, VICE CHAIRMAN:

The applicant who is presently working as a provisional Extra Departmental Delivery Agent, Vadayampady Branch, is aggrieved by the fact that the respondents refused to consider his case for regular appointment to the post on the ground that his name has not been sponsored by the Employment Exchange though he has registered his name with the Employment Exchange. He therefore prays that it may be declared that he is entitled to be considered for selection despite the fact that his name is not sponsored by the

Employment Exchange. He has placed before us the ruling of the Supreme Court in Excise Superintendent, Malakapatanam vs. K.B.N. Visweshwara Rao and others, 1996(6)SCC 216.

2. Heard learned counsel for applicant and Shri M.H.J.David appearing for respondents. The Hon'ble Supreme Court in Excise Superintendent vs. K.B.N. Visweshwara Rao, 1996(6) SCC 216, held that restricting the field of choice to those who are sponsored by the Employment Exchange and non-consideration of others, is denial of equal opportunities. Following this ruling in cases of similar nature, this Tribunal has been consistently taking the view that the E.D. Agent who is working provisionally on a post has to be considered when a regular appointment is being made though their names would not be sponsored by the Employment Exchange.

3. In the light of this position, we admit the application and dispose of the same with the direction to the respondents to consider the applicant also for regular selection to the post of EDDA, Vadayampady though his name has not been sponsored by the Employment Exchange. No order as to costs.

Dated the 28th January, 1997.

  
P.V. VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER

  
A.V. HARIDASAN  
VICE CHAIRMAN