

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.165/2000

Wednesday this the 23rd day of February, 2000

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. J.L. NEGI, ADMINISTRATIVE MEMBER

Subhash Chandran,
S/o MN Chandran Pillai,
Aged about 21 years, Mulangattu House,
Chengamanad PO,
Ernakulam District.

... Applicant

(By Advocate Mr. KM Anthru/Mr.TCG Swamy)

Vs.

1. Union of India represented by the Secretary to the Govt. of India, Ministry of Communications, (Department of Posts) New Delhi.
2. The Chief Post Master General, Kerala Circle, Trivandrum.
3. The Sub Divisional Inspector (Postal) Paravur Sub Division, Paravur.
4. The Postal Superintendent, Divisional Office, Ernakulam.
5. C.G.Nisha, Extra Departmental Pakcer, Chengamandu PO, Ernakulam District.
6. K.Anil, The Sub Divisional Inspector (Postal) Paravur.

... Respondents

(By Advocate Mr.TC Krishna, ACGSC for R.1to4)

The application having been heard on 23.2.2000, the Tribunal on the same day delivered the following:

O R D E R

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

The applicant as also the 5th respondent were among candidates considered for selection and appointment

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to the post of Extra Departmental Packer (EDP for short), Chengamanad Post Office. The applicant's grievance is that apart from verification of documents and holding a cycling test no interview was held and though the applicant had 382 marks out of 600 in the SSLC Examination, the third respondent has selected and appointed the 5th respondent, who to the best information of the applicant is wife of one Mr. Gopalakrishnan, a regular Postman, who according to the applicant is known to the incumbent in the office of the third respondent, who has been impleaded in his personal capacity as the 6th respondent in this OA. According to the applicant, the selection and appointment has not been done properly and therefore, he has filed this application for a declaration that the selection and appointment of the 5th respondent as EDP Chengamanad is arbitrary and discriminatory and for a direction to conduct a fresh selection to the post.

2. Shri T.C.Krishna, learned counsel for the respondents under instructions from the official respondents has stated that an interview was held in which the applicant, the 5th respondent as also other candidates sponsored by the Employment Exchange were all considered and on the basis of such consideration and a cycling test, the 5th respondent who was found to be more meritorious than the rest having secured highest marks in the SSLC Examination (448 out of 600) was selected and appointed. The counsel states that he has been informed by the official respondents that the selection has been made strictly on the basis of merit and there was no other consideration.

3. On a careful scrutiny of the application and on hearing the learned counsel on either side, we do not find that the applicant has any legitimate cause of action. The applicant has obtained only 382 marks out of 600 while the 5th respondent who has been selected and appointed has obtained 448 marks out of 600 in the SSLC Examination, which is the main consideration in assessing the merit. Mere impleadment of the incumbent in the office of the third respondent as respondent number 6 by name for the alleged reason that the applicant has got information that he knows the 5th respondent's husband a Postman by name Gopalakrishnan, the applicant has not made out any case for intervention. We do not find anything in this application which deserves for consideration. The application is dismissed leaving the parties to bear their own costs.

Dated the 23rd day of February, 2000



J.L. NEGI

ADMINISTRATIVE MEMBER



A.V. HARIDASAN

VICE CHAIRMAN

S.