

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A. No.167/95

Wednesday this the 1st day of March, 1995.

CORAM:

HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR.S.P.BISWAS, ADMINISTRATIVE MEMBER

N.M.Kuriakose,  
Extra Departmental Mail Carrier, Nenmani P.O.  
(residing at Neerkunnath Veedu,  
Chulliyode P.O. Sulthan Batheri.) .. Applicant

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

vs.

1. The Assistant Superintendent of Post Offices,  
Kalpetta Sub Division, Kalpetta.

2. The Superintendent of Post Offices,  
Calicut.

.. Respondents

(By Advocate Mr.MHJ David J, ACGSC)

ORDER

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN:

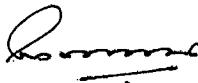
Applicant prays for a direction to consider his candidature for appointment as Extra Departmental Mail Carrier, Nenmeni or Extra Departmental Delivery Agent, Narikaud. He had been working as an Extra Departmental Agent on provisional basis since 12.2.90 and hence he has a right to be considered, submits applicant. He apprehends that his candidature may not be considered for want of sponsorship by the Employment Exchange.

2. Learned counsel for applicant would submit that by reason of the decision in O.A.271/90 which is binding precedent for this Bench, every qualified person is eligible to be considered for appointment, irrespective of sponsorship by the Employment Exchange. We have our reservations on this aspect of the matter. However, we find that

in a large number of cases the view in O.A.271/90 has been followed. Since this is precedent, though not without hesitation and without expressing any opinion on the other contentions, we follow the decision aforementioned and direct the candidature of applicant to be considered alongwith that of other eligible candidates, as and when a regular selection is made to the post of Extra Departmental Mail Carrier, Nenmeni or Extra Departmental Delivery Agent, Narikaud. Applicant will be retained in service at Nenmeni where he is working at present till a regular selection is made, as termination is not a prelude to selection.

3. With this direction, we dispose of the application. No costs.

Dated the 1st March, 1995.

  
S.P.BISWAS  
ADMINISTRATIVE MEMBER

  
CHETTUR SANKARAN NAIR(J)  
VICE CHAIRMAN

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