

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.172/2001

Thursday this the 15th day of February, 2001

CORAM

HON'BEL MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BEL MR. T.N.T.NAYAR, ADMINISTRATIVE MEMBER

Abhilash Kumar R.
Extra Departmental Branch Post Master,
Ullannoor PO
Pathanamthitta District. ...Applicant

(By Advocate Ms.K.Indu)

V.

1. Union of India represented by
its Secretary, Ministry of Communications
Department of Posts, New Delhi.
2. Superintendent of Post offices,
Pathanamthitta. ...Respondents

(By Advocate Mr. P.Vijayakumar (rep.))

The application having been heard on 15.2.2001. the
Tribunal on the same day delivered the following:

O R D E R

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

The applicant who is working as Extra
Departmental Branch Post Master on a provisional basis had
approached the Tribunal earlier filing OA 566/2000 for a
direction to the respondents to consider his candidature
for appointment to the post of Extra Departmental Sub Post
Master, Prakkanam Sub Post Office apprehending that his
candidature may not be considered. That OA was disposed
of noting the undertaking of the respondents that the
candidature of the applicant also would be considered.
Now finding that the post is being filled by transfer of
working E.D.Agents the applicant submitted a request for
transfer on 5.2.2001 (A3) to consider him for transfer.
Apprehending that his request would not be considered, the
applicant has filed this application for a direction to

contd.....

the second respondent to consider Annexure.A3 request of the applicant for transfer to the post of Extra Departmental Sub Post Master, Prakkanam Sub Post Office in the light of the ruling in OA 45/98.

2. We have heard the learned counsel for the applicant. We find that the applicant is only a provisional E.D.Agent and the post of Extra Departmental Sub Post Master, Prakkanam is to be filled by transfer of working ^{regular} /E.D.Agent. The applicant who is only a provisional E.D.Agent is not entitled to such transfer for his provisional service is liable to be terminated any time on a regular appointment to that post. The applicant has, therefore no prima facie case. Hence the application is rejected under Section 19(3) of the Administrative Tribunals Act, 1985.

Dated this the 15th day of February, 2001



T.N.T.NAYAR
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

s.

List of annexure referred to:

Annexure.A3: True copy of the representation dated 5.2.2001 submitted by the applicant to the 2nd respondent.

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