

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.172/2001

Thursday this the 15th day of February, 2001

CORAM

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

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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 regular working 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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