

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.175/07

Monday this the 1st day of September 2008

C O R A M :

**HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE Dr.K.S.SUGATHAN, ADMINISTRATIVE MEMBER**

Susheela A.C.,
Extra Departmental Delivery Agent,
Chiramanangode Post Office, Thrissur District.
Residing at Kalathil House, P.O.Chiramanangad,
Pannithadam, Thrissur District.

...Applicant

(By Advocate Mr.K.T.Shyam Kumar)

Versus

1. Union of India represented by its Secretary,
Ministry of Communications, New Delhi – 1.
2. The Superintendent of Posts,
Thrissur.
3. Inspector of Posts,
Wadakkanchery Sub Division,
Wadakkanchery, Thrissur District.
4. Bijumon,
S/o.Kuttynarayanan,
Biju Nivas, Near Mullackal Temple,
Nelluvay P.O., Thrissur District.

...Respondents

(By Advocate Mr.T.P.M.Ibrahim Khan,SCGSC)

This application having been heard on 1st September 2008 the Tribunal on the same day delivered the following :-

ORDER

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER

According to the applicant, she was initially appointed as a substitute Extra Departmental Delivery Agent (EDDA for short) in the Chiramanangad Post Office in the year 1999. She belongs to Scheduled Caste category. Later, in the year 2004, she worked against a regular vacancy of Postman



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till 8.3.2005. She was again re-engaged as EDDA from 17.1.2006. The respondents invited application for regular appointment as Gramin Dak Sevak Mail Deliverer vide Annexure A-2 notification dated 2.1.2007. The post was reserved for Schedule Caste/Schedule Tribe candidates and the applicant was one of the candidates. In the notification it was stated that the minimum qualification for the aforesaid post is a pass in the 8th Standard but preference will be given to candidates with the qualification of SSLC. Her qualification was 8th Standard pass. The applicant submitted that the 4th respondent was selected for the said post without giving her any preference considering her past service of 7 years as EDDA.

2. Respondents have filed a reply statement and in paragraph 4 thereof it is stated as under :-

"4. It is submitted that the filling up of the vacant post of GDS MD, Chiramanangad by direct recruitment was approved by the Postmaster General, Central Region, Kochi vide RO letter No.St/40-45/2004 dated 1.1.2007. Accordingly, the vacancy of GDS MD, Chiramanangad was notified locally through Annexure A-2 by the Inspector (Posts), Wadakancheri Sub Division, the 3rd respondent. The vacancy was notified through Employment Exchange also. In both the notifications, it was specifically mentioned that "preference will be given to the candidates with SSLC" and also that the vacancy was reserved for SC/ST. No nomination was received from the Employment Exchange. In response to the local notification, 15 applications were received including that of the applicant. As mentioned in the notification, preference was given to the candidates with SSLC pass. The applicant did not possess the preferential qualification of SSLC pass and she ranked the 14th position in the merit list. Out of the fifteen, five applicants belonging to Scheduled Caste were short listed in the order of their merit i.e. in the order of the marks secured by them in SSLC examination provided they satisfied all the other pre-requisite conditions prescribed for the post. Those five candidates were called for verification of the documents on 22.2.2007. The first in the merit list did not attend the verification process. Out of the remaining four candidates, the 4th respondent who secured 420/600 marks for SSLC and fulfilled all the other conditions, was selected to the post of GDS MD, Chiramanangad and was appointed to the post vide

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memo No.WS/D/GDS MD dated 15.3.2007 of the 3rd respondent. The 4th respondent assumed the charge of GDS MD, Chiramanangad on 16.3.2007. The appointment of 4th respondent as GDS MD, Chiramanangad is under challenge in the instant OA. In obedience to the interim order dated 14.3.2007 of the Hon'ble Tribunal in the OA (received on 16.3.2007 A/N), the charge of GDS MD, Chiramanangad was handed over to the applicant on 17.3.2007 F/N, relieving 4th respondent."

3. In view of the above factual position submitted by the respondents, we do not find any merit in this O.A and, therefore, same is dismissed.

There shall be no order as to costs.

(Dated this the 1st day of September 2008)



K.S.SUGATHAN
ADMINISTRATIVE MEMBER

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GEORGE PARACKEN
JUDICIAL MEMBER