

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. NO. 181 OF 2011

Wednesday, this the 23rd day of November, 2011

CORAM:

**HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER
HON'BLE Mr. K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER**

T.T.Sivadasan
Postman, Kondazhi PO
Presently working as GDS Branch Postmaster
Thekkumkara
Residing at Thekkevattekattu House (Sivapreethi)
New Railway Gate, Cheruthuruthy PO
Tghrissur – 679 531 ... Applicant

(By Advocate Mr. O.V.Radhakrishnan, Senior
Advocate Ms.K.Radhamani Amma)

versus

1. Senior Superintendent of Post Offices
Thrissur Division, Thrissur – 680 001
2. Inspector of Posts
Wadakkanchery Sub Division
Wadakkanchery -TC, Wadakkanchery - 680 582
3. Chief Postmaster General
Kerala Circle, Thiruvananthapuram – 695 033
4. Union of India represented by its Secretary
Ministry of Communication and Information Technology
Dak Bhavan, New Delhi – 110 116
5. C.J.Vinson
GDS BPM, Vaka
Residing at Cheruvattor House
Vaka, Via Mattom,
Thrissur – 680 602 ... Respondents

(By Advocate Mr.A.D.Raveendra Prasad, ACGSC(R1-4)
Advocate Mr.Shafik M.A. (R-5)

The application having been heard on 23.11.2011, the Tribunal
on the same day delivered the following:

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ORDER**HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER**

The applicant appeared for the examination held for Postman. He was a GDS employee. Based on the marks obtained in the examination, he was selected and appointed as Postman. By Annexure A-5 memo another person who is applicant in OA 459/10 and OA 512/10 who were found to have been entitled for appointment in the respective select list for appointment as Postman based on examination held on 08.11.2009 and 18.10.2009 respectively with consequential benefits. As a result, the appointment of the applicant was cancelled. Hence he has approached this Tribunal to redress his grievances. According to the applicant, he was not a party in OA 459/10 and OA 512/10. It is pointed out that as per guidelines issued revaluation can be made only in the circumstances as pointed out in para 3 of Annexure A-9. But the party respondents herein has been awarded marks more than what he has obtained earlier. In other words, revaluation is done and more marks are awarded for which no revaluation is permissible as is covered by clause IV of the the guidelines. It is not necessary at this stage to advert to the contentions and see whether the revaluation is correct or not ? Admittedly, the applicant is a Postman appointed after due selection and before Annexure A-5 order, no notice was issued. It is clear violation of principles of natural justice. As such Annexure A-5 order is liable to set aside on the sole question and leave open the other contentions. The applicant is entitled to be given a notice showing the reasons for cancellation and after hearing the interested parties, appropriate orders be issued. Accordingly Annexure A-5 stands cancelled.



2. OA is disposed of as above. No costs.

Dated, the 23rd November, 2011.



**K GEORGE JOSEPH
ADMINISTRATIVE MEMBER**



**JUSTICE P.R.RAMAN
JUDICIAL MEMBER**

vs