

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 207 of 1992

DATE OF DECISION 2-4-1992

Pavithran Alathumkandiyil Applicant (s)

M/s AK Basheer &
V Ramesh Shanker Advocate for the Applicant (s)

Versus

Supdt. of Post Offices, Respondent (s)
Tellicherry & 3 others

Mr C Kochunni Nair, ACGSC Advocate for the Respondent (s) 1-3
Mr D Sreekumar - Government Pleader for R-4

CORAM:

The Hon'ble Mr. NV KRISHNAN, ADMINISTRATIVE MEMBER

&

The Hon'ble Mr. AV HARIDASAN, JUDICIAL MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. To be circulated to all Benches of the Tribunal?

JUDGEMENT

(Mr AV Haridasan, Judicial Member)

The applicant was an aspirant to the post of Extra Departmental Sub Post Master (EDSPM), Pullokkara. His grievance is that the Employment Officer, the 4th respondent not having sponsored his name, the 1st respondent may not consider his case for appointment to that post. It appears that the Employment Officer did not sponsor his name because he is sponsoring names of persons who had registered with the Employment Exchange latest by 30.6.1980. The applicant has averred that putting a cut off date for the purpose of eligibility for sponsoring is illegal and therefore he prays that the respondents may be directed to consider his candidature.

2. The application was admitted and the respondents were directed to consider the applicant also as a candidate purely on provisional basis subject to the outcome of this application. The respondents were directed not to publish the results of the selection also.

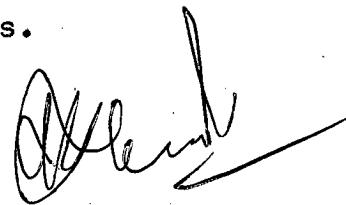
3. As directed by us, the respondents have made available for our perusal the selection proceedings. We have gone through the file in regard to the selection. The grievance of the applicant is that even as per the case of the 4th respondent set out in the reply statement, the cut off date was 30.6.1980 and as he had registered with the Employment Exchange prior to that, the action of the Employment Officer in not sponsoring the applicant is unjustified. In the reply of the 4th respondent, it has been stated that though the cut off date was 30.6.1980, as the direction from the Department was to sponsor only 9 candidates, the juniormost among the 9 candidates sponsored had registered his name on 19.5.1990 and that was why the applicant's name was not sponsored. Be that as it may, now that the respondents had been directed to consider the applicant also as a candidate subject to the outcome of the application, let us see whether the applicant if considered, would have been selected with his qualification. The applicant is a Matriculate and he has no other claim for weightage. From the selection records, we find that one Mr Ravindran has been found to be the most suitable person and entitled to be selected. Mr Ravindran has obtained 240 marks in the SSLC whereas the

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applicant has got only 234 mark . So even going by merit, the applicant has to loose to Mr Ravindran. We do not find any arbitrariness either in the action of the 4th respondent in not sponsoring the applicant or in the action of the Superintendent of Post Offices in selecting Mr Ravindran who had among the persons found eligible obtained highest marks in the SSLC examination.

4. On a careful scrutiny of the pleadings and the documents as also the file relating to the selection, we do not find that the applicant has got a legitimate grievance. Hence we dismiss the application, without any order as to costs.



(AV HARIDASAN)
JUDICIAL MEMBER


2-4-92

(NV KRISHNAN)
ADMVE. MEMBER

2-4-1992

trs