

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

**ORIGINAL APPLICATION NO:215/2009.
DATED THE 30th DAY OF APRIL, 2009.**

CORAM:

**HON'BLE Mr GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE Ms K NOORJEHAN, ADMINISTRATIVE MEMBER**

Suresh Kumar,
Nangezhathu Veedu,
Menapally, Mukundapuram P.O.,
Chavara, Kollam – 691 585. ... Applicant

By Advocate Mr K Subash Chandra Bose

V/s

- 1 The Union of India,
Represented by the Superintendent
of Posts, Main Post Office,
Kollam.
- 2 The Inspector of Posts,
Department of Posts,
Karunagappally Sub Division,
Karunagappally 690 518.
- 3 The Sub Divisional Inspector of Postoffice,
Department of Posts,
Karunagappally Sub Division,
Karunagappally-690 518. ... Respondents

By Advocate Mr Sunil Jose

This application having been heard on 30.04.2009 the Tribunal on the same day:delivered the following

(ORDER)

HON'BLE Mr GEORGE PARACKEN, JUDICIAL MEMBER

The applicant has filed this OA seeking a direction to the 2nd respondent to conduct the interview to the post of Gramin Dak Sevak Mail Deliverer (hereinafter GDSMD for short) Mukundapuram in pursuance of



Annexure A-III notice or in the alternative to interview him on dates to be fixed by this Tribunal and thereafter make the final selection to said post. He has also sought a declaration that he is eligible to get appointment to the aforesaid post in pursuance of the said Annexure A III notice and the respondents shall not make appointment to that post without considering him also.

2. The respondents have filed a statement stating that the post of GDSMD at Mukundapuram fell vacant due to the death of the regular incumbent on 1.12.2007. Thereafter, notice for filling up the post was issued on 3.8.2008 to the Employment Exchange and from open market. Altogether 21 applications were received from the open market and 10 candidates were sponsored by Employment Exchange. A short list of 10 candidates from the applications received from the open market was made on the basis of the marks obtained by them in SSLC. They were called alongwith the 10 candidates sponsored by Employment Exchange for the interview and cycling test on 6.4.2009. 8 candidates from the open market and one candidate from Employment Exchange attended the said interview. One Smt. Ramya S Sivasakthi Chavara who secured highest marks in SSLC and passed the cycling test was selected for appointment to the post. The applicant got only 210 marks out of 600 which is far below the marks obtained by Smt. Ramya. Therefore, the applicant has not been selected for the aforesaid post.

3. We have heard Ms Anitha for Mr Subash Chandra Bose, learned counsel for applicant and Mr Aditya Shenoy for Mr Sunil Jose,

h

learned counsel for the respondents. In our considered view, this application is a frivolous one, only to stall the appointment of the selected candidate. Even though this Tribunal has not granted any interim stay to ²stay the proceedings till the disposal of the case, the respondents themselves have not given appointment letter to the selected candidate. In this process, the selected candidate has suffered irreparably and it cannot be compensated by the applicant. We, therefore dismiss this OA.

4. Since the applicant is not in service, we are not imposing any cost on him.


K.NOORJEHAN
ADMINISTRATIVE MEMBER


GEORGE PARACKEN
JUDICIAL MEMBER.

abp