

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.218/2002

Thursday this the 4th day of April, 2002

CORAM

HON'BLE MR.A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

Ushamani A W/o Unnikrishnan
Narakathukunnel House (Puthukudy)
Iramalloor PO,
Kothamangalam
EDBPM, Iramalloor Branch
Post Office.

...Applicant

(By Advocate Mr. P.Nandakumar)

V.

1. The Sub Divisional Inspector,
Kothamangalam Sub Office,
Department of Posts, Perumbavoor.
2. The Sr.Superintendent of Post Offices,
Aluva.
3. The Chief Post Master General,
Trivandrum.
4. Union of India, rep. by
Secretary, Ministry of Communications,
New Delhi. ..Respondents

(By Advocate Mr K.R. Rajkumar, ACGSC)

The application having been heard on 4.4.2002, the Tribunal on the same day delivered the following:

O R D E R

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

The applicant claims to be working as provisional E.D.Agent has filed this application for the following reliefs:

(a) Declare that any appointment to the post of EDBPM, Iramalloor by offering transfer to a serving ED hand outside the recruiting unit is illegal and impermissible;

contd....

(b) Declare that the applicant is entitled to continue in her present post of EDBPM, Iramalloor on temporary basis till appointment of regular hands according to rules and norms.

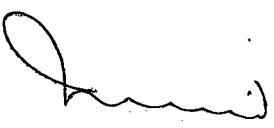
(c) Direct the respondents not to terminate the services of the applicant before appointment of regular hands after due selection process; and

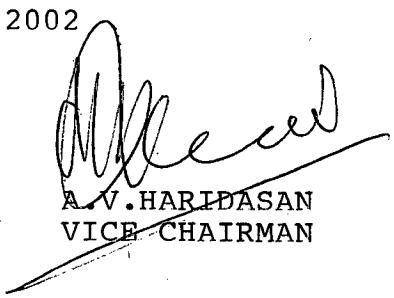
(d) Grant such other reliefs that may be proper and necessary including the cost of this Original Application.

2. The basis of filing this application is an apprehension in the mind of the applicant that the respondents would transfer somebody from another Recruitment Unit against the rules to replace the applicant. It has not been stated as to which E.D.agent is being considered for transfer and how such transfer would be against rules and instructions. There is absolutely no legitimate basis for the grievance of the applicant. If and when any appointment which, would violate the statutory rules or instructions or affects the service rights, if any, of the applicant be issued, the applicant may have a cause of action.

3. As the applicant does not have a legitimate cause of action at present, the application is rejected under Section 19(3) of the Administrative Tribunals Act, 1985.

Dated the 4th day of April, 2002


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE-CHAIRMAN

(s)

APPENDIX

Applicant's Annexure :

1. A-1 : True copy of the representation dated 11.2.2002 addressed to the respondents by the applicant.

npp
10.4.02