

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 223 of 1992

DATE OF DECISION 22-7-1992

Mr C Mohanan _____ Applicant (s)

Mr MR Rajendran Nair _____ Advocate for the Applicant (s)

Versus

The Superintendent of Post Offices, Mavelikara & another Respondent (s)

Mr KA Cherian, ACGSC _____ Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. SP MUKERJI, VICE CHAIRMAN

&

The Hon'ble Mr. AV HARIDASAN, JUDICIAL MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement ? Yes
2. To be referred to the Reporter or not ? No
3. Whether their Lordships wish to see the fair copy of the Judgement ? No
4. To be circulated to all Benches of the Tribunal ? No

JUDGEMENT

(Shri SP Mukerji, Vice Chairman)

We have heard the learned counsel for the parties on this application in which the applicant who had been regularly appointed in the post of Extra Departmental Sub Postmaster, Arattupuzha seeks continuance in the post. The applicant's appointment ^{is} threatened to be terminated because of the fact that his predecessor in that post, whose services ^{had} ~~have~~ been terminated in ~~#~~ disciplinary proceedings ^{to be} ~~was~~ reinstated, pursuant to the directions of this Tribunal in OA-120/90.

By our interim order dated 7.2.1992, the applicants services were protected from termination, except in accordance with law, so long as his juniors are retained in service under the

First respondent. In pursuance to the interim order, the respondents have indicated in para-4 of the counter affidavit accommodated the applicant in the alternative post of EDDA-1, Mannarsala Post Office at his request. When the case was taken up for arguments today, the learned counsel for the applicant stated that even though the applicant has been accommodated in a lower post, the applicant will be satisfied if he is accommodated in the post of EDSPM for which he was selected as soon as the same falls vacant hereafter.

2. In the facts and circumstances, we allow the application to the extent of directing the first respondent that the applicant shall be retained in service as EDDA-1, Mannarsala Post Office and shall be accommodated as EDSPM, Arattupuzha as and when it falls vacant.

3. There is no order as to costs.


(AV HARIODASAN)
JUDICIAL MEMBER


22-7-92
(SP MUKERJI)
VICE CHAIRMAN

22-7-1992

trs