

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.235/04

Friday this the 26th day of March 2004

C O R A M :

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN  
HON'BLE MR. H.P.DAS, ADMINISTRATIVE MEMBER

P.R.Girijakumari,  
Gramin Dak Sevak Mail Packer,  
Malloossery P.O.,  
Kottayam.

Applicant

(By Advocate Mr.P.R.Padmanabhan Nair)

Versus

1. Sub Divisional Inspector (Postal)  
Kottayam West Sub Division,  
Kottayam.
2. Senior Superintendent of Post Offices,  
Kottayam Division, Kottayam.
3. Chief Postmaster General  
Kerala Circle,  
Thiruvananthapuram.
4. Director General of Posts,  
Department of Posts,  
New Delhi.

Respondents

(By Advocate Mr.Thomas Mathew Nellimoottil)

This application having been heard on 26th March 2004 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 that she was appointed after an interview on 27.2.1986 as a part time worker in the Tiffin Room attached to the Office of the Senior Superintendent of Post Offices, that she worked there for many years, that she filed O.A.1195/94 claiming absorption on a Group D post, that the Tribunal held that the applicant was not entitled to such a direction but would be entitled to get a declaration that she would be in the position of a Government employee and suggested to file a representation before the Senior Superintendent of Post

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Offices, that the representation was disposed of by an order dated 17.10.1995 (Annexure A-4) turning down her claim, that she made further representation for regularisation which also met with the same fate, that she is presently working as GDS MD, Malloossery with effect from 5.7.2003 and that she is entitled to be appointed on the post on a regular basis. Finding that steps are being taken by issuing Annexure A-1 notification to fill up the post from open market, the applicant has filed this application for a direction to the 1st respondent to appoint the applicant in the post of Gramin Dak Sevak Mail Packer at Malloossery Post Office considering the period of his service from 21.3.1986 to 30.7.1993 and the period of service from 5.7.2003 as part time casual labourer for the purpose of preference.

2. When the application came up for hearing Shri.Thomas Mathew Nellimoottil took notice on behalf of the respondents. We have gone through the application and have heard the learned counsel. We find no factual or legal basis for the claim of the applicant for a direction to be appointed to the post of GDS MP at Malloossery Post Office and also for treating the period from 21.3.1986 to 30.7.1993 and 5.7.2003 onwards for the purpose of granting preference. The claim of the applicant based on her service in the unregistered canteen was rejected by Annexure A-4 order which has become final. It has been made very clear in Annexure A-4 that the applicant would not be treated as Government Servant. The claim for a direction to be appointed on regular basis also has no basis because the stop gap arrangement made, pending regular selection, would be tenable only till a regular selection is made and if such persons who have been

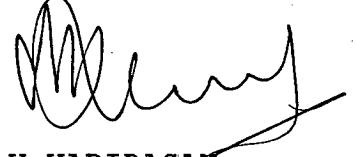


engaged on stop gap arrangement are to be regularised then the process of regular appointment would become nugatory. Under these circumstances we do not find anything in the application which calls for its admission and further deliberation. Therefore the application is rejected under Section 19(3) of the Administrative Tribunals Act, 1985. No costs.

(Dated the 26th day of March 2004)

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H.P.DAS  
ADMINISTRATIVE MEMBER

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A.V. HARIDASAN  
VICE CHAIRMAN