

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A. 242/97

THURSDAY, THIS THE 13TH FEBRUARY, 1997.

C O R A M:

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

HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

Ginesh K.S.

Kollodiyil House,

Kureekad

working as Departmental Messenger,  
Thiruvankulam P.O.

..Applicant

By Advocate Mr. P. C. Sebastian

Vs.

1. The Sub Divisional Inspector of Post Offices,  
Tripunithura Sub Division,  
Tripunithura P.O.

2. The Employment Officer,  
Divisional Employment Exchange, Ernakulam  
Kakkanad P.O.

3. The Postmaster General,  
Central Region,  
Kochi-682 016.

..Respondents

By Advocate Mr. Mathews J. Nedumpara, ACGSC

The application having been heard on 13.2.97, the  
Tribunal on the same day delivered the following:

O R D E R

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

The grievance of the applicant is that though he is working on provisional basis as Extra Departmental Messenger, Thiruvankulam Post Office, his request for consideration for appointment on regular basis to the post was rejected by the impugned order dated 27.1.97 (Annexure A4) on the ground that his candidature has not been sponsored by the Employment Exchange.

2. Shri Mathews J. Nedumpara, ACGSC appeared for the respondents. Heard learned counsel on both sides. As the issue involved in this issue is simple as agreed to by the counsel on either side, the matter is being disposed of finally at this stage itself. In the light of the ruling of the Supreme Court in Excise Superintendent, Malkapatnam, Krishna District Vs. K.B.N.

Visweshwara Rao and Others (1996) 6 SCC 216) restricting the field of choice to those who were sponsored by the Employment Exchange and refusing to consider others who have applied cannot be justified. Therefore, the application is admitted and disposed of directing the respondents to consider the applicant also for selection and regular appointment as Extra Departmental Messenger, Thiruvankulam Post Office, along with other candidates. There shall be no order as to costs.

3. Copy of the order by Dasti.

Dated the 13th February, 1997.

  
P.V. VENKATAKRISHNAN

ADMINISTRATIVE MEMBER

  
A.V. HARIDASAN

VICE CHAIRMAN

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LIST OF ANNEXURE

1. Annexure A4: True copy of the letter No.ED Mgr/2 dated 27.1.97 issued by the 1st respondent to the applicant.

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