

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Common order in O.A.Nos.242/06 & 200/06

Friday this the 8 th day of December 2006.

CORAM:

**HON'BLE Dr. K.B.S.RAJAN, JUDICIAL MEMBER
HON'BLE MR N.RAMAKRISHNAN, ADMINISTRATIVE MEMBER**

O.A.242/2006:

Smt.K.R.Mini, W/o Jayajith K.A.,
L.R.Postman Kodungalloor P.O.,
Residing at karayil House,
Lakamalleswaram (W),
Kodungalloor – 680 664. Applicant

(By Advocate Shri P.C.Sebastian)

Vs.

1. The Superintendent of Post Offices,
Irinjalakuda Division,
Irinjalakuda, Pin.-680 711.
2. The Chief Postmaster General
Kerala Circle, Thiruvananthapuram.
3. The Union of India, represented by
Secretary to Govt. of India,
Ministry of Communications,
Department of Posts, N.Delhi. Respondents

(By Advocate Shri Thomas Mathew Nellimoottil)

O.A.No.200/2006.

Smt.Rasiya P.H., W/o Jabbar,
Gramin Dak Sevak Mail Packer Kattoor P.O.,
Residing at Ponnampidi House,
Karuannur, Irinjalakuda, Pin.- 680 711. Applicant

(By Advocate Shri.P.C.Sebastian)

Vs.

1. The Superintendent of Post Offices,
Irinjalakuda Division,
Irinjalakuda, Pin.-680 711.

2. The Chief Postmaster General
Kerala Circle, Thiruvananthapuram.
3. The Union of India, represented by
Secretary, Ministry of Communications,
Department of Posts, N.Delhi. Respondents

(By Advocate Shri TPM Ibrahim Khan, SCGSC)

The applications having been heard on 8.12.2006
the Tribunal on the same day delivered the following

ORDER

HON'BLE DR. K.B.S.RAJAN, JUDICIAL MEMBER

By virtue of para 6 of the counter affidavit in O.A.200/06
which is reproduced here under, the grievance of the applicants has been
redressed:-

“6. It is submitted that five backlog ST vacancies
were kept distinct by mistake and the one current year
vacancy was notified as unreserved. The break up of 5 ST
and 1 unreserved was with reference to the roster
maintained for the purpose of promotion of LGOs as PAs.
Since recruitment of GDS as PAs is another mode of
recruitment, (Direct recruitment) a separate roster should
have been maintained for the purpose where the community-
wise break up will reflect differently. It was also noticed
that even though rules do not provide for reservation for
OBC in promotion, 27% reservation is due to OBC in direct
recruitment. Though the applicant submitted application in
response to A-3, Hall ticket was not issued since she
belonged to OBC category and there was no vacancy
reserved for OBC candidates. The upper age limit fixed for
unreserved category is 28 years and the applicant was
treated as over aged since her date of birth is 16.5.1974.
However, in obedience to interim order dated 25.5.2005 in
O.A.356/05 of this Hon'ble Tribunal, the applicant was
permitted to appear for the examination held on 29.5.2005.

On review of the recruitment process, the 2nd
respondent has observed that if the applicant or any other
OBC candidate who appeared in the examination had
secured equal or more marks than the last selected OBC
candidate in the open Notification recruitment, the most
meritorious candidate should have been selected under GDS
quota. In the light of these, the respondents wished to re-do
the selection process.”



2. In view of the above, the applications have become infructuous. We may only suggest that, priority be accorded for conducting selection afresh, so that the applicants and similarly situated persons may not have to wait for any further time.
3. With the above observations the O.As. are disposed of. No costs.

Dated the 8 th December, 2006.


N.RAMAKRISHNAN
ADMINISTRATIVE MEMBER


Dr.K.B.S.RAJAN
JUDICIAL MEMBER

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