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**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.255/05

Friday this the 8th day of April 2005

C O R A M :

**HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR.H.P.DAS, ADMINISTRATIVE MEMBER**

1. Susan Grace John,
W/o.Jogi Fernandez,
Residing at House No.36/349,
Marathapilly House, Canal Road,
Vengeri, Calicut – 10.
2. T.Rijula,
S/o.T.H.Abdul Rahiman,
Residing at Rajulas,
Near Panchayat Office,
Chaliyam, Calicut – 10.

...Applicants

(By Advocate Mr.Poly Mathai)

Versus

1. Union of India represented by
the Chief Post Master General,
Kerala Circle, Trivandrum.
2. Post Master General,
Northern Region, Trivandrum.
3. Senior Supdt. Of Post Offices,
Calicut Division, Calicut – 3.
4. The State of Kerala represented by the Secretary,
Education Department, Trivandrum.

...Respondents

(By Advocate Mr.Thomas Mathew Nellimoottil)

This application having been heard on 8th April 2005 the Tribunal on the same day delivered the following :

ORDER

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

The applicants are physically handicapped persons and has applied

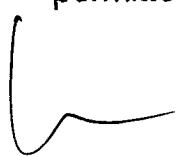
for the post of Postal/Sorting Assistants under the respondents. They have

passed Vocational Higher Secondary Course. It is averred that the qualification prescribed under Annexure A-7 prospectus stipulates Plus Two or 12th Class pass excluding Vocational Higher Secondary. It is also averred that the Government of Kerala by Annexure A-6 declared that Vocational Higher Secondary with non-vocational optionals are equivalent to Plus Two course. The applicants have stated non-vocational course as evident from Annexure A-3 and Annexure A-5. The applicants submitted that their cases are not considered and aggrieved by this the applicants have filed this application seeking the following reliefs :-

- a. An order quashing the stipulation of exclusion made in para 31 (a) (1) of Annexure A-7 and also Rule 2 (a) (1) of Annexure A-9.
- b. To declare that in view of Annexure A-6 order the applicants are qualified for consideration to the post of Postal/Sorting Assistants.
- c. To declare that the exclusion in Annexures A-7 and A-9 for Vocational Higher Secondary do not apply to Vocational Higher Secondary with non Vocational subjects as optional subjects.

2. When the matter came up for hearing, Shri.Poli Mathai appeared for the applicants and Shri.Thomas Mathew Nellimoottil appeared for the respondents. Learned counsel for the applicants submitted that the application may be disposed of permitting the applicants to file comprehensive representation to the Chief Post Master General, Kerala Circle, Trivandrum (1st respondent) and directing the 1st respondent to consider and dispose of such representations within a time frame in any case well before the selection. Learned counsel for the respondents submitted that he has no objection in adopting such a course of action.

3. In the result, in the light of what is stated above, the applicants are permitted to file comprehensive representation to the Chief Post Master



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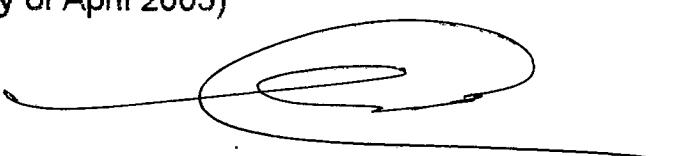
General, Kerala Circle, Trivandrum (1st respondent) forthwith and directing the 1st respondent to consider and dispose of such representations and appropriate reply given to them, in any case, well before the selection. The O.A is disposed of with the above observations. In the circumstances, no order as to costs.

(Dated the 8th day of April 2005)

H. P. Das

ADMINISTRATIVE MEMBER

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K.V. SACHIDANANDAN
JUDICIAL MEMBER