

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.269/2001.

Thursday, this the 22nd day of March, 2001.

CORAM:

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

HON'BLE MR T.N.T.NAYAR, ADMINISTRATIVE MEMBER

Sunanda Bhaskar,
Sunandalayam,
Kunnam P.O.,
Mavelikkara.
(By Advocate Shri P.C.Chacko)

Applicant

Vs.

1. Union of India, represented by its Secretary, Ministry of Communications, New Delhi.
2. The Postmaster General, Central Region, Kochi.
3. The Superintendent of Post Offices Mavelikkara Division, Mavelikkara.
4. The Assistant Superintendent of Post Offices, Mavelikkara North Sub Division, Mavelikkara.

5. M.S.Geetha,
Extra Departmental Packer,
Melpadam Post Office,
Melpadam.
(By Advocate Shri A. Sathianathan, ACGSC)

Respondents

The application having been heard on 22.3.2001, the Tribunal on the same day delivered the following:

O R D E R

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

The applicant was a candidate for selection and appointment to the post of ED Packer at Kandalloor and Melpadom Post Offices under the 4th respondent for which posts selection was conducted in the year 1998. To her disappointment she was not selected and the 5th respondent was selected. She made a

representation in August 1999 but she was informed that she was not qualified for selection as she did not succeed in the cycling test. The applicant thereafter made a representation in November 2000 stating that as the post of ED Packer, Melpadom had become vacant her candidature might be considered. Alleging that she did not get any response to her representation the applicant has filed this O.A. praying for a direction to the 2nd respondent to consider and pass appropriate orders in Annexure A-3 representation.

2. After hearing the counsel on either side, we find that the applicant does not have a subsisting cause of action. If the applicant was aggrieved on her non-selection in the year 1998, she should have challenged the non-selection and appointment of the 5th respondent at the appropriate time. At least when she was told in the year 1999 in reply to her representation that, she was not selected as she did not qualify in the cycling test she should have sought relief, if she was entitled to any relief. Having not done so, at this distance of time the applicant does not have any cause of action.

The application is therefore, rejected under Section 19(3) of the Administrative Tribunals' Act, 1985.

Dated 22nd March 2001.


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

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