

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A No.270/94

Tuesday this the 22nd day of February, 1994.

CORAM:

HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN  
HON'BLE MR.P.V.VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

K.Sreekumar,  
Extra Departmental Mail Carrier,  
Mancha Branch Post Office,  
Nedumangad,Trivandrum District.

..Applicant

By Advocate Mr.Thomas Mathew

vs.

1. Sub Divisional Inspector of Post Offices, Nedumangad.
2. Director General,Department of Posts, New Delhi.
3. Union of India, represented by its Secretary, Ministry of Communications, New Delhi.

..Respondents

By Advocate Mr.C.Kochunni Nair, SCGSC

ORDER

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN:

Applicant seeks a declaration that prescription of "preferential qualification" for the post of Extra Departmental Mail Carrier is illegal. Ancillary reliefs are also sought. Apparently the reference is to the qualification- S.S.L.C.

2. Learned Standing Counsel submits that the qualification prescribed for Extra Departmental Mail Carrier is only 8th Standard and that by mistake it was shown as SSLC in the notification. We record the submission.
3. When a regular vacancy arises, the claims of applicant will be considered on merits. He will be allowed to hold the post till a regular selection is made, as one provisional employee cannot be substituted with another provisional

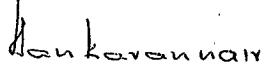
employee(see State of Haryana vs. Piara Singh, AIR 1992 SC 2130. The principles laid down in G.S.Parvati vs. Sub Divisional Inspector(Posts), Guruvayur,(1992) 21 ATC 13 will also be borne in mind while making selection.

4. With the aforesaid directions, application is disposed of. No costs.

Dated the 22nd February, 1994.

  
P.V.VENKATAKRISHNAN

ADMINISTRATIVE MEMBER

  
CHETTUR SANKARAN NAIR(J)  
VICE CHAIRMAN

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