

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A. No. 279 of 1995.

Tuesday this the 9th day of July 1996.

HON'BLE MR. JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

Ravindran I.S.,
Extra Departmental Delivery Agent,/
Mail Carrier,
Thirumarayoor P.O.,
Arakkunnam (Vid),
Pin - 682 319.

.. Applicant

(By Advocate Shri M. Paul Varghese)

Vs.

1. Sub Divisional Inspector
(Postal),
Tripunithura Sub Division,
Tripunithura - 682 301.

2. Senior Superintendent of
Post Offices,
Ernakulam Postal Division,
Kochi - 682 011.

3. Post Master General,
Central Postal Region,
Kochi - 16.

.. Respondents

(By Advocate Shri Bahuleyan for Shri TPM Ibrahim Khan, SCGSC)

The application having been heard on 9th July 1996,
the Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant and eight others sponsored by the Employment Exchange were interviewed for the post of Extra Departmental Agent, and one Sasidharan ranked as No. 1 was selected and appointed on 7.11.94. After a few days he was transferred and applicant who ranked next below Sasidharan was appointed to the post on 5.12.94, twenty eight days after the first appointment was made.

2. Taking the view that, a distinct vacancy had arisen on Sasidharan's transfer, services of applicant were sought to be terminated by A3 order. That order is challenged, contending that there is no need to go through a process of selection within one month of the original selection. In the case of regular select lists, it has a life span and if vacancies arise during that period, appointments are made according to the ranking in the list. Whether this principle should or should not be followed, particularly when a vacancy arises fortuitously in such proximity of time, is a matter which will be examined by the Postmaster General, third respondent. She will examine the matter and advise the first respondent, Sub-Divisional Inspector (Postal) as to the proper course to be followed. Till then, applicant will be allowed to continue in the post. With these directions the application is disposed of. No costs.

Tuesday this the 9th day of July, 1996.


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

rv9/7

List of Annexure

**Annexure A3:- True copy of the Memo No. DA/MC/
Thirumarayoor dated 10-2-95 of
the 1st respondent to the applicant.**