

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 282 of 1992
T. A. No.

DATE OF DECISION 2-6-1992

Mr VJ Skariah Applicant (s)

Mr OV Radhakrishnan Advocate for the Applicant (s)

Versus

Sub Post Master (LSG), Respondent (s)
Kothamangalam, Ernakulam

Mr KA Cherian, ACGSC Advocate for the Respondent (s) 1-3
Mr M Paul Varghese - Advocate for R-4&5

CORAM :

The Hon'ble Mr. NV KRISHNAN, ADMINISTRATIVE MEMBER

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The Hon'ble Mr. AV HARIDASAN, JUDICIAL MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *W*
3. Whether their Lordships wish to see the fair copy of the Judgement? *W*
4. To be circulated to all Benches of the Tribunal? *W*

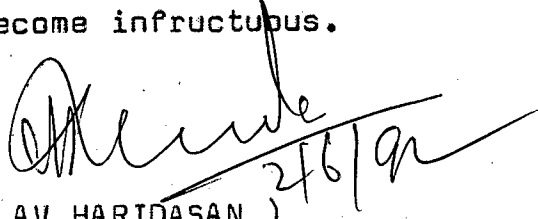
JUDGEMENT

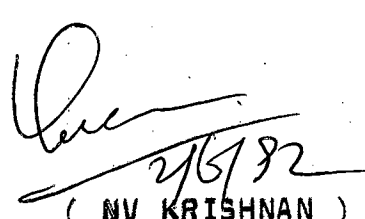
(Mr AV Haridasan, Judicial Member)

The applicant, working as a Postman in Kothamangalam LSG Sub Post Office under the Alwaye Postal Division has filed this application under Section 19 of the A.T. Act seeking ~~xxxxxxxx~~ *an* to quash the order dated 14.2.1991 of the first respondent rejecting his representation for treating him as senior *a* direction to respondents 4&5, *an* for/to give him a posting in a regular vacancy and praying that the respondents may be directed to treat the applicant as senior to respondents 4&5 and not to declare him as a surplus candidate. The application was filed at a time when a proposal was in the offing to reduce one post of Postman which gave an apprehension in the mind of the applicant that

he would be either thrown out or sent out of the Division on the basis of Exbt.A6. It is in ~~this~~ circumstances that the applicant has filed this application.

2. Respondents 1-3 have filed a reply statement in which they have conceded that the applicant is senior to the respondents 4&5 and have also made it clear that as the proposal to reduce a post has already been given up, there is no reason for an apprehension in the mind of the applicant that he would be either transferred or thrown out. They have also indicated that a gradation list of Postmen would be issued as on 1.7.1992 placing the ^{applicant} ~~the~~/above respondents 4&5. In view of this statement in the reply statement of respondents 1-3, we find that the applicant has no subsisting grievance and that nothing in the application survive. The learned counsel for the respondents 4&5 submitted that though the respondents have not ^{yet} ~~filed~~ a reply statement, they do not concede that the applicant is senior to them. Since the gradation list of Postmen is yet to be issued, it would be open for the aggrieved party to agitate the question at the appropriate time. With the above observation, we close this application as the same has now become infructuous.


(AV HARIDASAN)
JUDICIAL MEMBER


(NV KRISHNAN)
ADMVE. MEMBER

2-6-1992

trs