

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.29/99

Wednesday this the 20th day of January, 1999.

CORAM

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

Jyothi Lakshmi V.R.

D/o Vittaldas Pai,

aged 25 years, North of S.V.Temple,

S.V.Ward, Kayamkulam.

...Applicant

(By Advocate Mr. R.Sreeraj for M.R.R.Nair)

Vs.

1. The Post Master (HSG II)
Kayamkulam Post Office.

2. Chief Postmaster General,
Kerala Circle,
Trivandrum.

...Respondents

(By advocate Mr. M.R.Suresh ACGSC)

The application having been heard on 20.1.99, the Tribunal on the same day delivered the following:

O R D E R

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

Applicant, who is one of the candidates for appointment to the post of Extra Departmental Stamp Vendor, Kayamkulam Post Office has filed this application for the following reliefs:

- (i) Declare that the selection and appointment to the post of Extra Departmental Stamp Vendor, Kayamkulam P.O. is liable to be made on the basis of merit from among the candidates, who submitted their applications within the time stipulated in the notification inviting application and to direct the respondents to finalise the selection proceedings and to make appointment accordingly.

(ii) Direct the respondents to publish the select list for appointment as Extra Departmental Stamp Vendor, Kayamkulam based on the interview on 29.12.98 forthwith and to grant appointment to the most meritorious candidate.

(iii) Grant such other relief as may be prayed for and the Tribunal may deem fit to grant; and

(iv) Grant the costs of this Original Application.

2. The allegation in the application is that the respondents are understood to have decided to appoint who did not apply within the time stipulated in the notification and it is on that basis that the applicant has filed this application for the aforesaid reliefs.

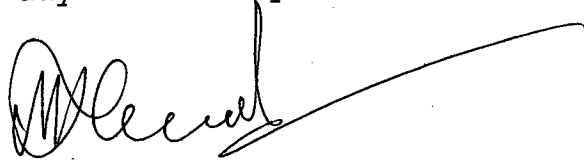
3. Learned counsel for the respondents under instructions from the respondents has stated that one candidate by name Sreelekha has been considered for selection and appointment pursuant to the orders of the Tribunal in O.A.1730/98, that she was found to be most meritorious candidate and that the appointment would be made subject to the outcome of the said Original Application.

4. On a careful scrutiny of the averments in the application and on consideration of the materials made available by the counsel for the respondents, I am of the considered view that the applicant does not have any legitimate cause of action. The consideration of the name of Sreelekha was only as per the directions of the Tribunal in O.A.1730/98 and the appointment if any would be made only subject to the outcome of that application.

: 3 :

None of the legal rights of the applicant has been violated and the applicant has not been left out of consideration entitling the applicant to file this Original Application. The application is therefore rejected under Section 19(3) of the Administrative Tribunals Act. There is no order as to costs.

Dated the 20th day of January, 1999.

A handwritten signature in black ink, appearing to read 'A.V. Haridasan', with a long horizontal flourish extending to the right.

A.V. HARIDASAN
VICE CHAIRMAN

|ks|