

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.291/97

Monday, this the 24th day of February, 1997.

CORAM:

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

KK Ramachandran Nair,  
Extra Departmental Delivery Agent,  
Kottappady Post Office,  
Alwaye Division.

- Applicant

By Advocate Mr George Cherian

Vs

1. The Senior Superintendent of Post Office,  
Alwaye Division, Alwaye.

2. The Chief Postmaster General,  
Kerala Circle,  
Thiruvananthapuram.

3. S Subhadra,  
Group 'D'  
Thrikkariyoor Post Office,  
Kothamangalam.

4. P Ramachandran,  
Extra Departmental Delivery Agent,  
Kakkoor Post Office,  
Koothattukulam.

5. AP Raveendran Nair,  
Extra Departmental Mail Carrier,  
Mulavoor Post Office,  
Muvattupuzha.

6. KM Devaki Kunjamma,  
Branch Post Master,  
Rayamangalam Post Office,  
Kuruppampady.

7. PK Kuttappan,  
Extra Departmental Delivery Agent,  
Parakadavu Post Office,  
Muvattupuzha.

8. VE Mathai,  
Extra Departmental Delivery Agent,  
Thabore Post Office, Mookkannur. - Respondents

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9. PA Mary,  
Extra Departmental Packer,  
Mookkannur Post Office.

10. OS Gopalakrishnan,  
Extra Departmental Mail Carrier,  
Mekkadambu Post Office,  
Muvattupuzha.

11. MP Annakutty,  
Branch Post Master,  
Marady East Post Office,  
Muvattupuzha. - Respondents

By Advocate Mr TPM Ibrahim Khan, SCGSC (for R.1&2)

The application having been heard on 24.2.97 the Tribunal on the same day delivered the following:

O R D E R

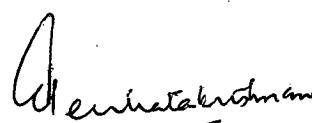
HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

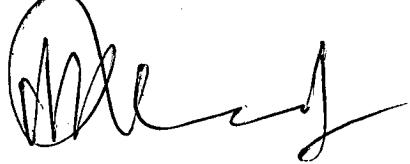
The applicant is aggrieved by his placement in the seniority list of ED Agents in which he has been shown at Sl.No.48, taking the date of his regular appointment as 1.5.73. The applicant claims that he commenced service as Extra Departmental Delivery Agent on 26.6.72 and is therefore entitled to be placed at Sl.No.39 in the gradation list taking his date of appointment as 26.6.72.

2. Having heard the learned counsel for applicant and having perused the application and the Annexutes, we find that applicant does not even have a *prima facie* case. In A-1 dated 12.7.73 it has been very clearly stated that the applicant was formally appointed as Extra Departmental Delivery Agent, Kottapady with effect from 1.5.73. He can claim seniority from

1.5.73 the date on which he was formally and regularly appointed as Extra Departmental Delivery Agent. His officiating appointment to that post either on provisional basis or as substitute cannot be considered for purposes of counting seniority. The application is therefore rejected under Section 19(3) of the Administrative Tribunals Act, 1985. No costs.

Dated, the 24th February, 1997.

  
PV VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER

  
AV HARIDASAN  
VICE CHAIRMAN

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