

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

O.A.No.297/09

Tuesday this the 19<sup>th</sup> day of May 2009

**C O R A M :**

**HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER**

N.Rajitha,  
Nirmalayam, Malankara,  
Nenmeni P.O., Sulthan Bathery,  
Wayanad District.

...Applicant

(By Advocate Mr.S.M.Prasanth)

**Versus**

1. Union of India represented by the Secretary,  
Department of Posts, New Delhi.
2. The Chief Post Master General,  
Kerala Circle, Department of Posts,  
Thiruvananthapuram.
3. The Senior Superintendent of Post Offices,  
Calicut Division, Calicut – 673 003. ...Respondents

(By Advocate Mr.T.P.M.Ibrahim Khan,SCGSC)

This application having been heard on 19<sup>th</sup> May 2009 the Tribunal on the same day delivered the following :-

**O R D E R**

**HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER**

The applicant is presently working as a Gramin Dak Sevak Branch Post Master, Nenmeni Post Office in a leave vacancy with effect from 30.1.2008. However, the respondents have now invited applications for the aforesaid post vide Annexure A-1 notification dated 16.2.2009 for appointment on regular basis. The grievance of the applicant is that even though she had submitted her application for the aforesaid post, she has

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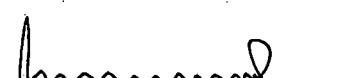
not been called for the interview and the respondents are now going ahead with the selection without considering her. Counsel for the applicant submitted that he is satisfied if a direction is given to the respondents to consider the applicant also along with other eligible persons for the interview.

2. Counsel for the respondents submitted that the applicant is working in a leave vacancy and she has no right for consideration if she has not come within the list of short listed candidates.

3. I have heard both the counsel. In view of the fact that the applicant has already been working with the respondents in a leave vacancy for quite some time, she is eligible for consideration for selection to a regular vacancy also, if she is otherwise qualified. I, therefore, direct the 3<sup>rd</sup> respondent, namely, the Senior Superintendent of Post Offices, Calicut Division, Calicut to consider the applicant also for appointment for the aforesaid post of Gramin Dak Sevak Branch Post Master, Nenmeni along with other eligible candidates.

4. With the aforesaid direction, this OA is disposed of. There shall be no order as to costs.

(Dated this the 19<sup>th</sup> day of May 2009)

  
GEORGE PARACKEN  
JUDICIAL MEMBER

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