

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.309 of 1998.

Friday this the 3rd day of November, 2000.

CORAM:

HON'BLE MR A.M.SIVADAS, JUDICIAL MEMBER

HON'BLE MR G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

P. Prakasan,
(Formerly Extra Departmental Messenger,
West Hill),
now working as Extra Departmental Mail Carrier,
Kottamparamba,
Calicut Medical College,
Calicut -673 008. Applicant

(By Advocate M/s Dandapani Associates)

vs.

1. The Sub Divisional Inspector (Postal),
Kozhikode North Sub Division,
Kozhikode 673 006.
 2. The Senior Superintendent of
Post Offices,
Kozhikode Division,
Kozhikode 673 002.
 3. Union of India, represented by the
Director of Postal Services,
Northern Region,
Kozhikode - 673 011. Responde

(By Advocate Shri George Joseph, ACGSC)

The application having been heard on 3.11.2000, the Tribunal on the same day delivered the following:

ORDER

HON'BLE MR A.M.SIVADAS, JUDICIAL MEMBER

Applicant seeks to get his services regularised with effect from 4.12.1987 as Extra Departmental Messenger and the

service rendered by him with effect from 4.12.1987 reckoned for the seniority as ED Agent.

2. This applicant approached this Bench of the Tribunal earlier by filing O.A.639/92, O.A.1140/96 and O.A. 1223/97. As per A-6, the request of the applicant has been turned down.

3. The whole grievance of the applicant now is against A-6. Respondents have taken the stand that the applicant is not entitled to any relief in the light of the finding in O.A. 639/92.

4. At the very outset, it is to be stated that the applicant cannot be granted any of the reliefs for the simple reason that A-6 is not under challenge as per which his request has been turned down.

5. The matter is squarely covered by the finding in A-1. A-1 is the order in O.A.639/92 passed by this Bench of the Tribunal on 23.11.93. There it is clearly stated thus:

"The claim for regularisation of the applicant is not granted since the instructions regarding appointment to the ED posts or in any Scheme evolved by the Government or the Department, there is no provision for regularisation of substitute or provisional ED Agents."



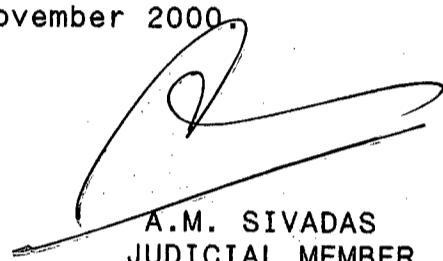
This order has become final. So, in the light of A-1 also the applicant is not entitled to any of the reliefs sought for.

6. Accordingly, O.A. is dismissed. No costs.

Dated the 3rd November 2000.



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A.M. SIVADAS
JUDICIAL MEMBER

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List of Annexures referred to in the order:

Annexure A1: True copy of order dated 23.11.1993 in O.A. No. 639/1992 rendered by the Hon'ble Central Administrative Tribunal, Ernakulam.

Annexure A6: True copy of order No. MC/BO/3/97 dated 22.12.1997 dated 22.12.1997 issued by the Ist respondent to the applicant.