

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.309/07

Friday this the 18th day of May 2007

C O R A M :

HON'BLE MR.JUSTICE M.RAMACHANDRAN, VICE CHAIRMAN

Divya Rani V,
D/o.Damodaran Pillai,
GDS MD, Parandode B.O.
Residing at Plavila Puthen Veedu,
Valiyalkalungu, Parandode P.O.

...Applicant

(By Advocate Mr.G.Sasidharan Chempazhanthiyil)

Versus

1. The Superintendent of Post Offices,
Thiruvananthapuram South Division,
Thiruvananthapuram – 14.
2. Chief Postmaster General,
Kerala Circle, Thiruvananthapuram.
3. Union of India represented by Director General,
Department of Posts, New Delhi.
4. Inspector Posts,
Nedumangad Sub Division,
Nedumangad – 695 541.

...Respondents

(By Advocate Mr.P.S.Biju,ACGSC)

This application having been heard on 18th May 2007 the Tribunal on the same day delivered the following :-

ORDER

HON'BLE MR.JUSTICE M.RAMACHANDRAN, VICE CHAIRMAN

There are two prayers in this application. One is for permitting the applicant to partake in the examination, to be conducted pursuant to Annexure A-3 notification. The other is to consider the claim of the applicant for regularisation on the strength of Annexure A-9 and Annexure A-10. There is a claim put forward on the basis of Annexure A-7, and submission is that a provisional employee in view of the wording of the

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rule would be entitled to partake in the examination. I am not sure. Also the application is opposed by the respondents. In the case of the examination restricted to departmental candidates by Limited Departmental Competitive Examination, it has to be assumed that competing candidates should be members of service and a provisional/casual hand will have no such right. The wording of the rule is to be understood only in that manner. as otherwise it may affect the chances of regular departmental hands. In the circumstances, the first prayer viz. for participation in the examination cannot be granted. The application is rejected to that extent. However, the Department should examine her claim for regularisation on the basis of Annexure A-9 and Annexure A-10 and pass a reasoned order and communicate the same to the applicant within a period of two months from the date of receipt of a copy of this order. The O.A is disposed of. No costs.

(Dated the 18th day of May 2007)



M.RAMACHANDRAN
VICE CHAIRMAN

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