

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA 311/2000

Wednesday, the 22nd day of March, 2000.

CORAM

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

L. Stephen
Extra Departmental Messenger cum Mail Carrier
Uchakada P.O. PIN 695 506
Neyyattinkara.

...Applicant

(By advocate Mr Thomas Mathew)

Versus

1. Sub Divisional Inspector of Post Offices
Neyyattinkara Sub Division
Neyyattinkara.
2. Chief Post Master General
Kerala Circle
Trivandrum.
3. Union of India represented by
its Secretary, Dept. of Posts
New Delhi.

...Respondents

By advocate Mr N.Anil Kumar, ACGSC)

The application having been heard on 22nd March, 2000,
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 presently working as Extra Departmental Messenger cum Mail Carrier, Uchakada P.O. under Neyyattinkara Sub Division applied for a transfer and appointment as Extra Departmental Delivery Agent, Nellimood P.O. in the same Division coming to know that a vacancy had arisen there. Since there is no response and apprehending that the respondents might fill up the vacancy by making recruitment from the open market, the applicant has filed this application for a declaration that he is entitled to be considered for appointment to the post of Extra Departmental Delivery Agent, Nellimood Post Office by transfer in terms of Annexure A-5, considering the working ED agents who have applied for such transfer and for a direction-

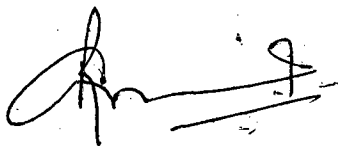
to the first respondent to consider the applicant for appointment to the post of EDD^A, Nellimood by transfer in preference to outsiders.

2. Reliance has been placed on the decision of the Tribunal in OA 45 of 1998 establishing that as a working ED Agent, he is entitled to be considered for such transfer and appointment without being subject to competition with outsiders.

3. When the application came up, learned counsel for the respondents submitted that the application may be disposed of directing the respondents to consider the candidature of the applicant for transfer and appointment as Extra Departmental Delivery Agent, Nellimood P.O. in accordance with the ruling of the Tribunal in OA 45/98.

4. In the light of the above submission, the application is disposed of at the admission stage itself directing the respondents to consider the claim of the applicant for transfer and appointment as Extra Departmental Delivery Agent made in A-4 representation and in the light of the decision of the Tribunal in OA 45/98 alongwith similar other requests for transfer from other working ED agents who have applied, if any and only if that fails, recruitment from open market should be resorted to.

Dated 22nd March, 2000.



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

List of annexures referred to:

Annexure.A4: True copy of the application/representation dated 26.7.1999 submitted to the 1st respondent by the applicant.

Annexure.A5: True extract of D.G. Deptt. of Posts Letter No.43-27/85 Pen (EDC&TRG) dated 12.9.1988.

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