

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 313 of 1999

Friday, this the 29th day of June, 2001

CORAM

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

1. A.K. Sivaprasadan, S/o Kunjan,
EDDA/MC, Kumarakom South ED BO,
Kottayam - 686 566
(Ammankariyil House,
Kumarakom PO, Kottayam-686 563)Applicant

[By Advocate Mr. M.R. Rajendran Nair]

Versus

1. The Post Master General,
Central Region, Kochi.
2. The Senior Superintendent of Post Offices,
Kottayam Division.
3. P.V. Preethi, ED Branch Post Master,
Kumarakom South Branch Office.
4. Union of India, represented by the
Secretary to Government of India,
Ministry of Communication, New Delhi.Respondents

[By Advocate Mr. K. Shri Hari Rao, ACGSC (R1,2&4) (rep.)]
[By Advocate Mr. P.C. Sebastian (R3)]

The application having been heard on 29-6-2001, the
Tribunal on the same day delivered the following:

O R D E R

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

The applicant seeks the following reliefs:-

- "(i) To declare that the non consideration of applicant's claim for appointment by transfer as Extra Departmental Branch Post Master, Kumarakom South is illegal and direct the respondents 1 and 2 to consider the applicant for appointment as Extra Departmental Branch Post Master, Kumarakom South by transfer.
- (i.a) To quash Annexure A1 and A2.
- (ii) To call for the records leading to the selection and appointment of 3rd respondent as Extra Departmental Branch Post Master, Kumarakom South and quash the same.

- (iii) Grant such other relief as may be prayed for and the Tribunal may deem fit to grant, and,
- (iv) Grant the costs of this Original Application."

2. When the OA was taken up, the learned counsel appearing for the applicant submitted that it is suffice to direct the 2nd respondent to consider and pass appropriate orders on A3 representation in the light of the ruling in OA No.45/98. It is further submitted by the learned counsel for the applicant that the 3rd respondent herein had moved OA No.218/2000 before this Bench of the Tribunal and that OA has been disposed of quashing A1 and A3 therein and directing the respondents therein to consider the claim of the 3rd respondent herein, who is the applicant therein, for transfer and appointment as Extra Departmental Sub Postmaster, Thiruvanchoor along with similarly placed applicants if any. The learned counsel appearing for the official respondents as well as the learned counsel for the private respondent submitted that there is no objection in directing the 2nd respondent to consider A3 representation of the applicant and pass appropriate orders.

3. Accordingly, the 2nd respondent is directed to consider A3 representation in the light of the order in OA No. 45/98 and pass appropriate orders within six week from the date of receipt of a copy of this order.

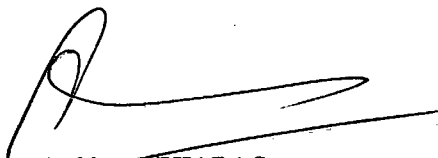
4. The Original Application is disposed of as above. No costs.

Friday, this the 29th day of June, 2001



T.N.T. NAYAR
ADMINISTRATIVE MEMBER

ak.



A.M. SIVADAS
JUDICIAL MEMBER

List of Annexure referred to in this order:

1. A1 True copy of the Order No. ST/40-7/97 dated 4-1-99 issued by the Assistant Post Master General, Office of the 1st respondent.
2. A2 True copy of the Office Letter dated 21-7-98 No. B6/170 issued by the 2nd respondent.
3. A3 True copy of the representation dated 29-10-98 submitted by the applicant to the 2nd respondent.