

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.329/2001.

Tuesday, this the 10th day of April, 2001.

CORAM:

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

HON'BLE MR T.N.T.NAYAR, ADMINISTRATIVE MEMBER

N.Sasindran,
Working as E.D.D.A.,
Valliad Post Office.

Applicant

(By Advocate Shri C.Vatsalan)

Vs.

1. The Union of India represented by
the Secretary, Ministry of
Communications, New Delhi.

2. The Postmaster General,
Northern Region, Calicut,
Kozhikode District.

3. The Superintendent of
Post Offices, Vadakara;
(P.O.) Vadakara,
Kozhikode District.

4. The Assistant Superintendent
of Post Offices, Badagara South
Sub Division, Badagara,
Kozhikode District.

5. M.Leela, Melath House,
(P.O.) Kottappally,
(Via) Villiappally,
Kozhikode District.

Respondents

(By Advocate Ms. P. Vani, ACGSC)

The application having been heard on 10.4.2001, the Tribunal
on the same day delivered the following:

ORDER

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

The applicant who is presently working as EDDA, Valliad
Post Office, Kozhikode District has submitted a representation
on 16.3.2001 for appointment by transfer as EDBPM, Valliad Post

Office or in any other post office in the same recruitment unit. His representation has not been considered and disposed of. Apprehending that the vacancy would be filled up jeopardising his claim to the post of EDBPM, he has filed this application seeking the following reliefs:

- (i) direct the respondents 3 and 4 to consider the claim of the applicant to the post of Branch Post Master, Valliad Post Office and appoint the applicant as Branch Post Master at Valliad Branch Post Office forthwith and with immediate effect.
- (ii) direct the 3rd and 4th respondents to appoint the applicant as Branch Post Master in any of the vacancies that exist or to arise in the next future under the respondents 3 and 4.
- (iii) direct the 3rd respondent to consider and allow A7 representation filed by the applicant before the 3rd respondent with immediate effect.
- (iv) direct the 3rd respondent to appoint the applicant provisionally as Branch Post Master at Valliad Post Office or any other Branch Post Office under him pending disposal of this application.
- (v) Stay all further appointments of post of Branch Post Master under 3rd respondent till the consideration of A7 representation and appointment of applicant in the post of Branch Post Master.
- (vi) direct the respondents 2 to 4 to consider the case of the applicant for appointment as Branch Post Master with retrospective effect on the basis of his claim as a scheduled caste member and appoint him forthwith in any of the vacancies to be found as a back log appointment.
- (vii) to pass any other orders that this Hon'ble Tribunal deem fit and proper in the circumstances of the case.

2. When the OA came up for hearing learned counsel on either side agree that the application may be disposed of directing the 2nd respondent to consider A-7 representation, submitted by the applicant for transfer to the post of EDBPM,

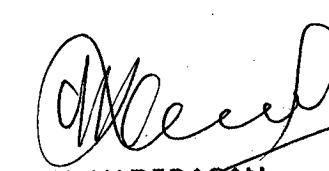
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Valliad or as Branch Post Master in any other post office in the same recruitment unit alongwith similar working ED Agents who have applied for such transfer and that only if the applicant or other ED Agents who have applied are found ineligible or unsuitable, recruitment from open market should be resorted to.

3. In the light of what is stated above, the application is disposed of directing the second respondent to have the request of the applicant made in A7 request for transfer to the post of EDBPM, Valliad or as Branch Post Master in any other Post Offices under the same recruitment unit considered along with similar requests if any, of other working ED Agents and not to resort to recruitment from open market unless the applicant or other working ED Agents who have applied for transfer are found ineligible or unsuitable for transfer. No costs.

Dated the 10th April 2001.


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

rv

A-7: True copy of the representation submitted by the applicant before the 2nd respondent dated 16.3.2001.