

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.331/2000

Wednesday this the 28th day of June, 2000

CORAM

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

O.K.Divakaran  
S/o late Kannu, aged 55 years  
Assistant Manager (Forms)  
Postal Stores Depot,  
Trissur-4 residing at  
Ollekkat House, Thalikulam,  
Trissur District.

...Applicant

(By Advocate Mr. OV Radhakrishnan)

Vs.

1. Senior Superintendent of Post Offices,  
Trichur Division,  
Trichur.1.
2. The Director of Postal Services,  
Office of the Post Master General,  
Central Region, Kochi.16.
3. The Union of India,  
represented by its Secretary,  
Ministry of Communications,  
New Delhi.

...Respondents

(By Advocate Mr. R.Prasanthkumar)

The application having been heard on 28.6.2000, the  
Tribunal on the same day delivered the following:

O R D E R

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

The applicant who is presently working as  
Assistant Manager (Forms), Postal Stores Depot,  
Trichur, which according to him is a Norm-Based Post is  
aggrieved for the respondents have initiated steps to  
replace the applicant by issuing a notification on  
24.3.2000 calling volunteers to man the post. The  
applicant has therefore, filed this application for  
setting aside the A3 Memo declaring that he is entitled  
to continue in the post of Assistant Manager (Forms),  
Postal Stores Depot, Trissur till he completes the

contd.....


tenure of 4 years from the date of his posting to that post in terms of Rule 60 of the P&T Manual Volume IV and the Orders contained in Annexure.A2 Director General (Posts) letter dated 28.7.1999.

2. When the matter came up for hearing on admission, the learned counsel for the respondents states that on 27.3.2000 the applicant has made a representation against the steps taken by A.3 and the same is under active consideration. He submits that the application may be disposed of with a direction to the @Chief Postmaster/<sup>General, Trivandrum</sup> to take a decision on the representation of the applicant <sup>keeping</sup> in view the rules and instructions on the subject and that further proceedings pursuant to A3 shall be kept in abeyance till an appropriate reply is served on the applicant. Learned counsel of the applicant states that the interests of justice would be met if such a direction is given.

@ Corrected as per order dated 9.8.2000 in MA-1046/2000.

3. In the result, in the light of the submission of the learned counsel on either side, we dispose of this application directing the @Chief Post/<sup>master General, Trivandrum</sup> to take an appropriate decision on the representation submitted by the applicant on 27.3.2000 against the proposal contained in A3 keeping in view the rules and instructions on the subject and to give the applicant an appropriate reply as expeditiously as possible. We also direct that till a reply is served on the applicant, further proceedings on the basis of A3 shall not be taken. No order as to costs.

Dated the 28th day of June, 2000

  
G. RAMAKRISHNAN  
ADMINISTRATIVE MEMBER

  
A.V. HARIDASAN  
VICE CHAIRMAN

.3.

List of annexures referred to:

Annexure.A2: True copy of the letter No.137-55/96-SPB II dated 28.7.1999 of the Director General of Posts, New Delhi.

Annexure.A3: True copy of the Order No.B1/12/2000 dated 24.3.2000 of the 1st respondent.

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