

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA 368/2001

Wednesday this the 1st day of January, 2003.

CORAM

HON'BLE MR.G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER
HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

Sukumary Joseph, SDI
Sub Divisional of Post Offices
Cherthala Sub Division
Cherthala - 688 524.

Applicant

(By advocate Mr.P.C.Sebastian)

Versus

1. The Chief Postmaster General
Kerala Circle
Thiruvananthapuram.
2. The Superintendent of Post Offices
Alapuzha Division
Alapuzha - 688 012.
3. The Director General of Posts
Department of Posts
Dak Bhavan, New Delhi.
4. The Union of India
represented by its Secretary
Ministry of Communications
Department of Posts
New Delhi.

Respondents

(By advocate Mrs.Rajeswari A. ACGSC)

The application having been heard on 1st January, 2003,
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

Applicant approached this Tribunal through this Original Application, aggrieved by the rejection of her application for appearing in the combined Group 'B' Examination scheduled to be held on 26.4.2001 and 27.4.2001 for promotion to the cadre of Postal Superintendent Group 'B' by the 1st respondent on the basis of a cut-off date for eligibility fixed by the 3rd respondent as per A-3 circular No.9-25/99-SPG dated 26.10.99. She sought the following reliefs:



- i) To call for the records leading to the issue of Annexure A-1, A-2 and A-3 and quash Annexure A-1.
- ii) To declare that Annexure A-3 is illegal in so far as it stipulates 1st January of the year immediately preceding the vacancy year of the examination of P.S.Group 'B' cadre for the relevant year, from vacancy year 2000-2001 onwards for deciding the eligibility of candidates in terms of qualifying service or in the alternative to declare that the action of the 1st respondent in rejecting applicant's candidature for the ensuing P.S.Group 'B' Examination under the pretext of A-3 instruction is illegal.
- iii) To direct the respondents to admit the applicant for the combined P.S.Group 'B' examination going to be held on 26.4.2001 and 27.4.2001, pursuant to A-2.
- iv) To grant such other relief which may be prayed for or which this Hon'ble Tribunal may deem fit and proper to grant in the facts and circumstances of the case;

and

- v) to award costs.

2. The applicant raised a number of grounds in support of her claim and the respondents filed reply statement resisting the claim of the applicant.

3. When the OA was taken up for final hearing today, the learned counsel for the applicant submitted that he is not pressing this Original Application.

4. The above statement is recorded and the Original Application is dismissed as not pressed. No costs.

Dated 1st January, 2003.



K.V.SACHIDANANDAN
JUDICIAL MEMBER



G.RAMAKRISHNAN
ADMINISTRATIVE MEMBER

aa.

A P P E N D I X

Applicant's Annexures:

1. A-1: True copy of letter No.BB/41/Exam/2001 dated 26.3.2001 issued by 2nd respondent communicating the order of 1st respondent.
2. A-2: True extract of Circle letter No.Rectt/10-6/2000 dated 19.12.2000 issued by the 1st respondent.
3. A-3: True extract of Govt. of India Dept. of posts Cir.No.9-25/99-SPG dated 26.10.99 issued by the 3rd respondent.
4. A-4: True extract of Govt. of India Ministry of Communication Dept. of Posts. Notification dated 11.3.1988.
5. A-5: True extract of Govt. of India Dept. of Posts Notification No.9-36/92 SPG dated 29.6.1994 (Amendment to Postal Services Group B Recruitment Rules 1987.)
6. A-6: True extract of Rules 155 and 156 of Posts and Telegraphs Manual Volume IV.
7. A-7: True copy of letter No.Rectt/48-3/2000 dated 7.2.2001 issued by the 1st respondent.
8. A-8: True copy of the representation dated 5.3.2001 submitted by applicant to the Postmaster General, Kochi-16.

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