

केन्द्रीय प्रशासनिक अधिकरण न्यायपीठ में
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

आदेश पत्र
ORDER SHEET

आवेदन सं० 19 का 368/2003
 ORIGINAL APPLICATION No. of 199

आवेदक
 Applicant(s)

Joseph T.G

प्रत्यर्थी
 Respondent(s)

Suptdt of POs, Thalassery
 and 3 ors.

आवेदक (आवेदको)

की ओर से अधिवक्ता

Advocate for
 Applicant(s)

Mr R. Sreeraj

प्रत्यर्थी (प्रत्यर्थियों)

की ओर से अधिवक्ता

Advocate for
 Respondent(s)

Mr C. Rajendran

रजिस्ट्री के टिप्पण
 Notes of the Registry

अधिकरण के आदेश
 Orders of the Tribunal

प्रस्तुतीकरण की तारीख : 30-4-03
 Date of Presentation :

पंजीकरण की तारीख : 1-5-03
 Date of Registration :

विषय : GDS BPM Appth
 Subject : by Transfer

तेनाती की तारीख : 2-5-03
 Date of posting :

11-5-03

2.5.2003
 (2)

C.I

Mr.R.Sreeraj
 Mr.C.Rajendran, SCGSC rep.by Ms.Jisha

Mr.C.Rajendran, SCGSC takes notice for respondents 1 to 3 and seeks 2 weeks' time to file a statement on admission. 2 weeks' time granted.

Post on 20.5.03.

TNTN(AM)

aa.

20-5-2003

C-I

(1) Mr. R Sreeraj
 Mr. C Rajendran, SCGSC (rep)

Heard. Orders pronounced in the open Court.

TNTN(AM)

AVH(VC)

20-5-2003

ak.

Statement not filed

Mr. Mahesh

Final Order issued on 27/5/03

22/5/03

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 368 of 2003

Tuesday, this the 20th day of May, 2003

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

1. Joseph T.G,
S/o Garvasis,
residing at Thengada, Varayal Post,
Mananthavadi.Applicant

[By Advocate Mr. R. Sreeraj]

Versus

1. Superintendent of Post Offices,
Department of Posts,
Thalassery Division, Thalassery-670 102
2. Director of Postal Services,
Office of the Postmaster General,
Department of Posts, Northern Region, Calicut.
3. Union of India represented by its
Secretary to Government of India,
Ministry of Communications,
Department of Posts, New Delhi.
4. Smt. Seetha Devi, W/o Sree Valsan,
Chaithram Veedu, PO Tharuvana,
Mananthavadi.Respondents

[By Advocate Mr. C Rajendran, SCGSC (R1 to R3)]

The application having been heard on 20-5-2003, 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 was a candidate for selection and appointment to the post of Gramin Dak Sevak Branch Post Master (GDSBPM for short), Varayal has filed this application challenging the selection and appointment of the 4th respondent and seeking to quash the said appointment and for a direction

to the 1st respondent to consider the applicant for selection and appointment to the post of GDSBPM, Varayal in accordance with law and to appoint him as such if he is found suitable for such appointment. The selection and appointment of the 4th respondent is assailed on the ground that the 4th respondent is a close relative of the original incumbent on the post of GDSBPM, Varayal, who was put off duty and that she is not a resident of the area in which the Post Office is situated and has given a 'C/o' address.

2. We have gone through the averments in the application and other materials placed on record and have heard Shri Sreeraj, learned counsel of the applicant and Shri C.Rajendran, SCGSC appearing for the official respondents.

3. Apart from the fact that the applicant was also a candidate, absolutely no tenable ground is raised to assail the selection and appointment of the 4th respondent. It has not even been remotely suggested that the applicant is in any way more meritorious than the 4th respondent. The allegation that the 4th respondent is not a permanent resident of the area in which the Post Office is situated, that she has given a 'C/o' address and that the 4th respondent is related to the original incumbent on the post who was put off duty could not be reasons to discredit the selection and appointment of the 4th respondent. Residence in the village is to be insisted only on appointment as EDBPM and being a relative of one who is put off duty cannot be held a reason to disqualify a candidate. What relation the 4th respondent has with the original incumbent

also is not mentioned. We do not find any valid cause of action for the applicant to invoke the jurisdiction of this Tribunal.

4. In the result, we reject the application under Section 19(3) of the Administrative Tribunals Act, 1985. No costs.

Tuesday, this the 20th day of May, 2003



T.N.T. NAYAR
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

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