

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No. 369 of 1994

Thursday this the 17th day of March, 1994

CORAM

Hon'ble Mr. Justice Chettur Sankaran Nair, Vice Chairman

Hon'ble Mr. P. V. Venkatakrishnan, Administrative Member

C. K. James, S/o C. K. Kerah
Lineman (Phones)
Telephone Exchange,
Kuruppamthara,
Kottayam District.

.... Applicant

(By Advocate Mr. George K Varghese)

Vs.

1. Ministry of Communications, Deptt. of Telecommunications, Govt. of India rep. by its Secretary, Sanchar Bhavan New Delhi-1.
2. Chief General Manager (Telecom) Deptt. of Telecommunications, Trivandrum.
3. District Manager (Telecom) Department of Telecommunications, Kottayam.
4. A. J. Jacob, Regulzr Masdoor, Kanjirappally (Telegraphs) Kottayam Dist.
5. K. Jayakumar, Temp. Status Masdoor O/o the Asst. Engineer(Phones) Kottayam South.
6. T. K. Babu, Regular Masdoor, General Manager Telecom Office, Kottayam.
7. Shaji S. Nari, Temporary Status Masdoor Kanjirapally (Indoor) Sub Divisional Officer, Telegraphs.
8. P. P. Surendran, Regular Masdoor Office of the SDI (Telegraphs) Palai.
9. N. Purushothaman, Regular Masdoor, O/o the Sub Divl. Officer, Telegraphs Palai
10. P. R. Ajayakumar, Regular Masdoor O/o the Asst. Engineer(Phones) Kottayam North, Kottayam.

11. K.G.Vikraman, Regular Masdoor
O/o General Manager, Telecom,
Kottayam.
12. M.K.Kuruvilla, Regular Masdoor
O/o SDI, Changanasserry
Telegraphs, Changanasserry.
13. P.N.Sureshkumar TSM, Office of
the Asst.Engineer (Cables)
Cable Construction, Kottayam.
14. P.N.Sojan, Regular Masdoor
Office of the Sub Divisional
Officer, Kanjirappally.
15. K.S.Abraham Group 'D'
Office of the Jr.Telcom.Officer
(Phones), Kanjirappally.
16. P.J.Sebastian, Regular Masdoor
Office of the General Manager
(Telecom), Kottayam.
17. G.Mohandas, Lineman
Office of the Asst.Engineer
(Phones), Kottayam North.
18. T.K.Krishnankutty, Regular Masdoor
Office of the SDI (Telegraphs)
Changanasserry.
19. N.R.Ramachandran Nair, Regular
Masdoor, O/o the Asst.Engineer
PRX, Changanasserry.
20. T.K.Kuriakose, Lineman, Office
of the SDO Telegraphs
Changanasserry.
21. S.Rajmohan Nair, Lineman
Office of the AE (Phones), Palai.
22. T.R.Surendran, Regular Masdoor
O/o the SDO(Telegraphs) Palai.
23. V.K.Mohan II, Lineman
Office of the Sub Divl.Officer
(Telegraphs), Palai.
24. V.Mohanam, TSM, Office of the
Sub Divisional Officer(Telegraphs)
Vaikom.
25. George Chacko, Sub Inspector(O)
Office of the Sub Divl.Officer
(Telegraphs), Palai. Respondent s

(By Advocate Mr.C.Kochunni Nair, Sr.Central Govt.Standing
counsel) for Respondents 1 to 3.

ORDER

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant who is working as a Lineman (Phones) seeks to quash appointments made pursuant to Annexures A6 and A7. 50 percent of the posts of Phone Mechanics are reserved for Lineman and similar categories. They are selected on the basis of an examination. Applicant would submit that he a matriculate, was given to understand that only non-matriculates were eligible for consideration, while the position was not so. Due to this misapprehension (for which he has only himself to thank) he could not take the examination and many of his juniors including Mazdoors got promoted, submits applicant. Even if all contentions can be accepted there will be no justification for quashing the selections, when those selected and appointed were eligible to be appointed even according to applicant.

2. He may apply for the next selection and pursue his fortunes. We find no illegality or error apparent on the face of the record to quash the selection. Nor, is this a fit case to exercise the discretionary jurisdiction, in spite of the persuasive arguments of the learned counsel for applicant.

3. We dismiss the application. No costs.

Dated the 17th March, 1994.


P.V. VENKATAKRISHNAN

ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN