

FINAL ORDER

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

DATED THURSDAY THE TWENTY SECOND DAY OF JUNE  
ONE THOUSAND NINE HUNDRED AND EIGHTY NINE

PRESENT

HON'BLE SHRI P. K. KARTHA, VICE CHAIRMAN (JUDICIAL)

&

HON'BLE SHRI S. P. MUKERJI, VICE CHAIRMAN (ADMINISTRATION)

O. A. No. 373/89

P. Mani

Applicant

Vs.

1. The Superintendent of Post Offices,  
Calicut,
2. The Assistant Superintendent of  
Post Offices, Calicut South  
Sub Division, Calicut. and
3. Union of India represented by its  
Secretary to Government, Department  
of Post, New Delhi

Respondents

M/s. M. R. Rajendran Nair &  
P. V. Asha

Counsel for the  
applicant

Mr. P. V. Madhavan Nambiar, SCGSC

Counsel for the  
respondents

ORDER

Hon'ble Shri P. K. Kartha, Vice Chairman (J)

The applicant who is working as an Extra Departmental Messenger at Feroke Post Office, Calicut filed this application under Section 19 of the Administrative Tribunals Act, 1985 praying that the respondents be directed to consider him for selection for the post of E.D. Messenger in Feroke Post Office, Calicut and

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that a declaration be issued to the respondents not to terminate his service.

2. Advocate Mr. P. V. Madhavan Nambiar, SCGSC has received copies of the application and the documents on behalf of the respondents.

3. We have gone through the documents and have heard learned counsel for both the parties.

4. The applicant has been working as E.D. Messenger with effect from 7.1.1987 on a provisional basis subject to the appointment of a regular Messenger. The respondents have requested the Employment Exchange to sponsor names of suitable candidates for selection to the post of E. D. Messenger. The Employment Exchange has forwarded names of some candidates, but it does not include the name of the applicant.


5. In a similar case, O.A. No. <sup>K</sup>397/88, Mr. P. N. Balachandran Nair Vs. The Sub Divisional Inspector of Posts, Palai and others, we had directed the respondents to call the applicant also for the interview along with the candidates sponsored by the Employment Exchange and in case if he is found suitable for appointment, the fact that his name has not been sponsored by the Employment Exchange will not be a disqualification. Similar directions shall be issued in the present case. The respondents are directed to call the applicant for considering <sup>or</sup> ~~his~~ <sup>his</sup> suitability <sup>or</sup> ~~of the applicant~~ also for such appointment along with the candidates sponsored by the Employment

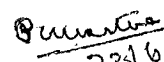
Exchange, in case <sup>he</sup> ~~any~~ <sup>or</sup> ~~is~~ is found otherwise  
suitable for appointment as E. D. Messenger.

6. The application is disposed of at the admission  
stage itself with the above directions.

7. In view of the above directions, we do not consider  
it necessary to go into the other reliefs prayed for in  
the present application.

8. The parties to bear their own costs.

  
22.6.89  
(S. P. Mukerji)  
Vice Chairman (A)  
22.6.89

  
22/6/89  
(P. K. Kartha)  
Vice Chairman (J)  
22.6.89

kmm