

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.38/2001

Wednesday this the 10th day of January, 2001

CORAM

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

M.M.Asha,
D/o Madhavan,
Mangattukuneel,
Teekoy, Palai.

...Applicant

(By Advocate Ms. K. Indu)

V.

1. Union of India, represented by its
Secretary, Department of Posts,
Dak Bhavan, New Delhi.
2. The Chief Post Master General,
Kerala Circle, Trivandrum.
3. The Superintendent of Post Offices,
Kottayam Division,
Kottayam.

...Respondents

(By Advocate Ms. I. Sheela Devi)

The application having been heard on 10.1.2001, the
Tribunal on the same day delivered the following:

O R D E R

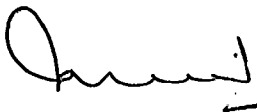
HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant who has rendered 2½ years of
provisional service and whose services were terminated
on the basis of an order passed by the Tribunal in OA.
1256/98 made a representation to the second respondent
claiming that she may be given alternate engagement on
any provisional vacancy on E.D.Posts. Finding no
response, the applicant has filed this application for
a direction to the second respondent to consider and
dispose of Annexure.A4 representation or to direct the
respondents to engage the applicant on a
temporary/provisional vacancy arising under the third
respondent in preference to outsiders.

contd....

2. On a consideration of the application and the materials placed on record and on hearing the learned counsel we find that the applicant does not have a legitimate cause of action which calls for admission of this application. As per the instructions on the subject only a provisional E.D. Agent who has rendered at least three years service on the date of discharge is entitled to be considered for alternate engagement. The applicant/^{who}has on her own averment worked for 2½ years is not entitled to alterate engagement. The application is therefore, rejected under Section 19(3) of the Administrative Tribunals Act. There is no order as to costs.

Dated the 10th day of January, 2001


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

s.

List of annexure referred to:

Annexure.A4: True copy of the representation dated 18.12.2000 submitted by the applicant to the 2nd respondent.

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