

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.378/97

MONDAY, THIS THE NINTH DAY OF JUNE, 1997.

C O R A M:

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

HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

T. Prakash
Extra Departmental Packer
Head Post Office,
Kayamkulam.

..Applicant

By Advocate Mr. M.L. Sureshkumar

Vs.

1. Union of India represented by its
Secretary, Ministry of Communications
Department of Posts,
Dak Bhavan, New Delhi.
2. Post Master General, Central Region
Office the Post Master General,
Ernakulam, Cochin.
3. The Director of Postal Services,
Office of the Post Master General,
Central Region, Ernakulam.
4. The Superintendent of Post Offices
Mavelikara Division,
Mavelikara.

..Respondents

By Advocate Mr. T.P.M. Ibrahim Khan, SCGSC

The application having been heard on 9.6.97, the Tribunal on the
same day delivered the following:

O R D E R

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

Applicant an Extra Departmental Agent, who was recruited
on 19.10.93 has filed this application with the following reliefs:

- i) to set aside column 11(5) Method of Recruitment of the
Schedule attached to the Department of Posts (Postman/Village
Postman and Mail Guards) Recruitment Rules, 1989, Annexure
A7,
- (ia) to set aside Annexure A6 as illegal and against the
Rules,
- ii) to direct the 4th respondent to consider applicant for the
selection in the existing vacancy of postmen notified for
Scheduled Tribe candidates and till that time the vacancy

shall not be filled up,

- iii) to direct the respondents to consider the applicant's candidature for selection in the post of Group-D notified in the Reservation quota at the 40 point Roster.
- iv) to direct the 4th respondent to fill up the vacancy of postmen, notified for the Scheduled Tribe candidate under the Mavelikara Division from among the E.D. Agents in that Division,
- v) to quash the entire selection made by the 4th respondent from among the candidates nominated by the Employment Exchange, for the post of 'Postman' notified for the Scheduled Tribe candidates and
- vi) to issue such other direction, order or declaration as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case."

2. The application is opposed by the respondents. However, in the reply statement it is conceded that a Group-D vacancy against Scheduled Tribe quota would arise on 1.5.1997 at Mavelikara Head Post Office and that the applicant being eligible and qualified under the Recruitment Rules, his case would also be considered for filling up the vacancy in accordance with the rules. Noting this statement in the reply statement, learned counsel for applicant would be satisfied if the respondents are directed to carry out this undertaking.

3. In the light of the above statement of the learned counsel for applicant and in view of the statement of the respondents in the reply statement, the application is disposed of with the direction to the respondents/^{to} consider the case of the applicant also while filling up the Group-D post which has fallen vacant on 1.5.97, in accordance with the rules. The other contraversies in this case are not gone into as it has become unnecessary to go

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into the questions on account of the stand taken by the parties.

4. The application is disposed of as above. No costs.

Dated the 9th June, 1997.



P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

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LIST OF ANNEXURES

1. Annexure A6: True copy of the Letter No.82/44/Exam/96 dated 30.12.1996 issued by 4th respondent.
2. Annexure A7: True copy of the Department of Posts (Postman/Village Postman and Mail Guards) Recruitment Rules 1989.

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