

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 379
T. A. No.

1992

DATE OF DECISION 21.4.92

Shibi Emmanuel _____ Applicant (s)

Mr. O. V. Radhakrishnan _____ Advocate for the Applicant (s)

Versus

Sub Divisional Inspector (Postal) Respondent (s)
Muvattupuzha Sub Division, Muvattupuzha and others

Mr. V. Krishnakumar for R 1, 2 & 4 Advocate for the Respondent (s)

CORAM: Mr. D. Sreekumar Govt. Pleader for R-3

The Hon'ble Mr. S. P. MUKERJI, VICE CHAIRMAN

The Hon'ble Mr. N. DHARMADAN, JUDICIAL MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement? Y
2. To be referred to the Reporter or not? NO
3. Whether their Lordships wish to see the fair copy of the Judgement? NO
4. To be circulated to all Benches of the Tribunal? NO

JUDGEMENT

MR. N. DHARMADAN, JUDICIAL MEMBER

This is an application filed by an Extra Departmental Branch Postmaster, Vadacode Branch Office for setting aside Annexure A-6 and A-7 and for a direction to the second respondent to consider the applicant for selection to the post of EDBPM, Vadacode Branch Office. Though the applicant is working provisionally as EDBPM, Vadacode Branch Office, his name was not sponsored by the Employment Exchange, nor was he considered for selection and appointment of EDBPM on regular basis. Hence, he has approached this Tribunal with the following prayers:

- "i) to set aside Exts. A-6 order dated 2.3.92 and Ext. A-7 notification dated 23.2.92;

- ii) to direct the 2nd respondent to consider the applicant for selection for regular appointment to the post of EDBPM Vadacode BO along with other candidates sponsored by the 3rd respondent giving weightage for her provisional service rendered by the applicant and to select her for regular appointment to the post;
- iii) to direct the respondents 1 & 2 to re-admit the applicant provisionally as EDBPM, Vadacode BO till final selection for regular appointment to the post of EDBPM, Vadacode BO is made;
- iv) to grant such other reliefs which this Hon'ble Tribunal may deem fit, proper and just in the circumstances of the case; .."

2. At the time when the application was admitted, we directed the respondents to consider the applicant also ~~to be~~ in the interview/held for selection to the regular appointment to the post of EDBPM, Vadacode B.O. Accordingly, along with nine persons sponsored by the Employment Exchange, the applicant was also considered provisionally.

3. Today, when the case was taken up for final hearing, the learned counsel for the respondents brought to our notice the letter sent by the Sr. Supdt. of Post Offices, Aluva Division to the learned counsel for respondents. It has been stated in the letter that among the candidates ^{who} ~~for~~ appeared for the interview, the applicant has got highest marks in the SSLC and he satisfied all other conditions for appointment. Hence, he has been selected for appointment.

4. Regarding the eligibility of the applicant for consideration in the selection, there is no serious dispute by the respondents. In this view of the matter, it is not necessary for us to consider the contentions raised by the applicant in this case except to record the statement of ^{Ap}

the respondents and close the application.

5. Accordingly, we record the statement of the respondents in the letter referred to above and close the application.

6. There will be no order as to costs.



21.4.92

(N. DHARMADAN)
JUDICIAL MEMBER



21.4.92

(S. P. MUKERJI)
VICE CHAIRMAN

21.4.92