

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.41/97

Thursday, this the 13th day of February, 1997.

CORAM:

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

T Ravi,
Thekketh House,
Manikkassery.P.O.
Palakkad-678 631.

- Applicant

By Advocate Mr MR Rajendran Nair

Vs

1. Sub Divisional Inspector of Postal,
North Sub Division, Palakkad.
 2. PV Kunju,
Extra Departmental Messenger,
Kongad Sub Division Office,
Palakkad.
- Respondents

By Advocate Mr James Kurian, ACGSC(R-1)

The application having been heard on 13.2.97 the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

The applicant has in this application prayed for the
following reliefs:

- "(i) To declare that the replacement of applicant, a
provisional hand by 2nd respondent on provisional
basis is illegal and direct the 1st respondent to
allow the applicant to continue as EDMC, Manikka-
ssery on provisional basis till regular selection
and appointment is made to that post after consi-
dering the applicant also or till applicant is
appointed to another post on a regular basis;
- (ii) To declare that the applicant is entitled to be
considered for regular selection and appointment
as Extra Departmental Delivery Agent, Manikkassery
and to direct the 1st respondent to consider the
applicant for regular selection and appointment
as Extra Departmental Delivery Agent, Manikka-
ssery."

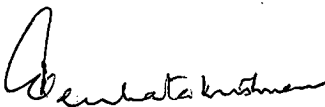
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2. The first respondent has filed a reply statement and when the application came up for hearing on 5.2.97, learned counsel for 1st respondent undertook to ascertain whether there is a vacancy in the post of Extra Departmental Delivery Agent, Manikkassery for which a regular selection is proposed to be held. Today when the matter came up, learned counsel for 1st respondent states that a post of Extra Departmental Delivery Agent, Manikkassery has arisen with effect from 31.1.97 and sanction for filling up of the vacancy is awaited from the competent authority. He states that when process of regular selection will be made to fill this vacancy, the case of the applicant also will be considered in accordance with the rules, though not sponsored by the Employment Exchange.

3. Learned counsel for applicant states that in view of the statement of the learned counsel for 1st respondent, the application may be disposed of with a direction to 1st respondent to consider the case of applicant for appointment as Extra Departmental Delivery Agent, Manikkassery as and when 1st respondent take steps to make a regular selection.

4. In the light of the above statement by the learned counsel, the application is admitted and disposed of with a direction to 1st respondent to consider applicant also along with those who may be sponsored by the Employment Exchange for selection to the post of Extra Departmental Delivery Agent, Manikkassery as and when the regular selection is held in accordance with the rules. There is no order as to costs.

Dated, the 13th February, 1997.


PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


AV HARIDASAN
VICE CHAIRMAN