

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

OA No. 41/98

Wednesday, the 11th day of February, 1998.

CORAM

HON'BLE MR A.V. HARIDASAN, VICE CHAIRMAN  
MR S.K. GHOSAL, ADMINISTRATIVE MEMBER

V.K. Anil Kumar  
S/o Kunjukrishna Pillai  
Valiyakalathil Veedu  
Eravoor, Ayyanadu P.O.  
PIN 695 542

...Applicant

(By advocate Mr M.R.Rajendran Nair)

Versus

1. Sub Divisional Inspector  
Nedumangadu Sub Division.
  2. Supdt. of Post Offices  
Trivandrum South Division
- ...Respondents.

(By advocate Mr MHJ David J, ACGSC)

The application having been heard on 11.2.1998, the Tribunal on the same day delivered the following:

O R D E R

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

Applicant has been working as Extra Departmental Delivery Agent (EDDA), Parandode since 1.2.97 as a substitute to Mr P. Surendran who is on leave and working as Branch Post Master (BPM), Vinobaniketham P.O. The present grievance of the applicant is that his allowances from 1.9.97 are not being drawn and paid to him. He also apprehends that the respondents would make selection for provisional/regular appointment from outside and replace him. Therefore, the applicant has filed this application for a declaration that he is entitled to get his allowances from 1.9.97 and for a direction to the respondents to consider him for selection and appointment to the post of EDDA, Parandode either provisionally or regularly.

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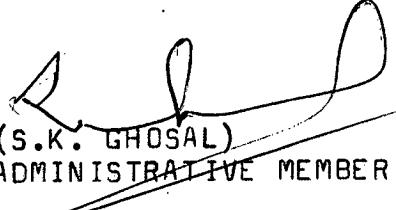
2. When the application came up for hearing today, learned counsel for the respondents, under the instructions of the respondents, states that the respondents would disburse to the applicant the allowances due to him from 1.9.97 and continue to pay to him so long as he continues as substitute. He also states that in view of the Supreme Court ruling in Excise Supdt.

Malkapatnam, Krishna District, A.P. Vs. KBN Viswaswara Rao & Ors 1996 (6) SCC 216, the respondents would consider his candidature also in case they make selection and appointment to the post of EDDA, Parandode, though at the moment there is no regular vacancy.

3. In view of what is stated by the learned counsel for the respondents, we are of the considered view that there is nothing that survives in this application. Therefore, the application is disposed of with a direction to the respondents to honour their undertaking by making payment of allowances due to him and by also considering the applicant for selection and appointment to the post of EDDA whenever they undertake the process of selection.

No order as to costs.

Dated 11th February 1998.

  
(S.K. GHOSAL)  
ADMINISTRATIVE MEMBER  
aa.

  
(A.V. HARIDASAN)  
VICE CHAIRMAN