

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A. No. 406 of 1999.

Wednesday this the 7th day of April, 1999.

CORAM:

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

HON'BLE MR. B.N. BAHADUR, ADMINISTRATIVE MEMBER

C.Gopalakrishna Pillai,  
Lower Selection Grade Postal Assistant  
(Circle Office), Office of the  
Postmaster General, Central Region,  
Cochin (residing at B.J.I, P&T Staff  
Quarters, Thevara).

.. Applicant

(By Advocate Shri M.R. Rajendran Nair)

Vs.

1. The Director of Postal Services,  
Southern Region, Office of the  
Postmaster General, Kerala Circle,  
Trivandrum.

2. The Chief Postmaster General,  
Kerala Circle, Trivandrum. .. Respondents

(By Advocate Shri Govindh K Bharathan, SCGSC)

The application having been heard on 7th April, 1999,  
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 is one of the Seniormost Lower Selection Grade Postal Assistants had applied for the post of Development Officer, PLI. Unfortunately, for him, by the time, the call letter for the interview was sent to his address, he was away with the result that he could not participate in the interview which was scheduled to be held on 1.4.99. On 5.4.99, the applicant made a representation to the first respondent explaining the circumstances under which he was unable to appear for the interview and with a request that he also may be given a chance to participate in the selection process as he would be crossing the age of 45 years on 14.10.99, making him ineligible for appointment

to the post thereafter. This representation is yet to be considered by the Postal Department. The applicant under these circumstances has filed this application for a declaration that he is entitled to be considered for the interview for selection and appointment to the post of Development Officer and for a direction to the first respondent to consider the applicant for selection and in the alternative for a direction to the first respondent to pass orders on A-3 representation before filling up of the post of Development Officer, PLI.

2. When the application came up for hearing, the learned counsel for the applicant states that the applicant would be satisfied if the first respondent is directed to consider the A-3 representation and give him an appropriate reply. The counsel for the respondents has no objection in disposing of the application with such a direction provided no fetter is placed on the powers of the competent authority to fill up the vacancy. Both the counsel agree to that course.

3. In the light of the above submission made by the counsel on both sides, the application is disposed of with a direction to the first respondent that he shall, within a week from the date of receipt of a copy of this order, consider the representation made by the applicant (A-3) and give him an appropriate reply. We make it clear that this order does not place any fetter on the powers of the first respondent in filling up of the vacancy. No costs.

Dated the 7th April 1999.

*B.N. Bahadur*

B.N. BAHADUR  
ADMINISTRATIVE MEMBER

*A.V. Haridasan*

A.V. HARIDASAN  
VICE CHAIRMAN

rv

List of Annexures referred to in the order:

Annexure A-3: True copy of the representation dated 5.4.99 submitted by the applicant to the 1st respondent.