

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No. 408 of 2012

Tuesday, this the 11th day of December, 2012

CORAM:

Hon'ble Mr. Justice P.R. Raman, Judicial Member
Hon'ble Mr. K. George Joseph, Administrative Member

G. Sajeev, S/o. Gopalakrishna Pillai, GDSMD, Thrippallazhikom,
 residing at Sajeev Bhavan, Vettilathazhom, Decent Junction,
 PO Mukhathala-691 577, Kollam District. **Applicant**

(By Advocate – Mr. C.P. Johny)

V e r s u s

1. Union of India, represented by the Secretary to the Government, Department of the Post, Government of India, New Delhi-110 001.
2. The Chief Postmaster General, Kerala Circle, Trivandrum-695 033.
3. The Senior Superintendent of Post Offices, Kollam Postal Division, Kollam-691 001.
4. Rajani S., Postman, C/o. Senior Superintendent of Post Offices, Kollam Division, Kollam-691 001.
5. B. Anilkumar, C/o. Senior Superintendent of Post Offices, Kollam Postal Division, Kollam-691 001.
6. Sindhu R., C/o. Senior Superintendent of Post Offices, Kollam Postal Division, Kollam-691 001. **Respondents**

**[By Advocates – Mr. Sunil Jacob Jose, SCGSC (R1-3),
 Dr. K.P. Satheesan (R5)
 M/s. Shabu Sreedharan (R4&6)]**

This application having been heard on 11.12.2012, the Tribunal on the same day delivered the following:

ORDER

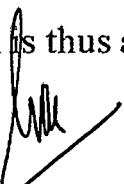
By Hon'ble Mr. Justice P.R. Raman, Judicial Member-

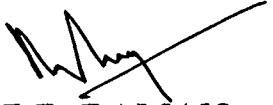
The applicant challenges the appointment of respondents 4 to 6 as



Postman overlooking the merit of the applicant. It is the case of the applicant that respondents 4 to 6 were failed candidates and therefore, they are not liable to be selected overlooking the merit of the applicant. This Tribunal in OA No. 118 of 2012 along with OAs Nos. 394 & 395 of 2012 by a common order passed on 19th November, 2012 considered the same contention regarding the validity of the appointment of the party respondents who were already parties as respondents Nos. 4, 5 & 6 in the related Original Application No. 118 of 2012, found that the selection and appointment of the party respondents are illegal and their appointments were set aside. Though the correctness of the order was canvassed before the Hon'ble High Court of Kerala OP (CAT) 4096 & 4097 of 2012 the same was dismissed confirming the order passed by this Tribunal. As such the party respondents' selection and appointment as Postman stood cancelled by an order of the competent Tribunal confirmed by the Hon'ble High Court. In such circumstances there is no necessity or need to again cancel the appointment of the party respondents. We direct that the respondents shall take the follow up action and consider the applicants' position in the merit list for appointment to the post of Postman and pass appropriate orders in accordance with law.

2. OA is thus allowed as above. No order as to costs.


(K. GEORGE JOSEPH)
ADMINISTRATIVE MEMBER


(JUSTICE P.R. RAMAN)
JUDICIAL MEMBER

“SA”