

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

Original Application No.20/934/2014

Hyderabad, this the 25th day of February, 2020



Hon'ble Mr. Justice L Narasimha Reddy, Chairman
Hon'ble Mr. B.V. Sudhakar, Member (Admn.)

Y. Sunkamma, W/o. Y. Ramanjaneyulu,
Aged 36 years, Occ: GDS Mail Carrier/ Deliverer,
Kesepalli Bo, A/w. Narpala SO,
Anantapur Dn, Anantapur Dist.

... Applicant

(By Advocate: Mr. B. Gurudas)

Vs.

1. Union of India, Rep. by
The Chief Post Master General,
Andhra Pradesh Circle, Hyderabad – 500 001.
2. The Post Master General,
Kurnool Region, Kurnool.
3. The Superintendent of POs,
Anantapur Division, Anantapur.
4. Inspector of Pos
Tadipatri Sub Division,
Tadipatri – 515 411, Anantapur Dist.

... Respondents

(By Advocate Mrs. K. Rajitha, Sr. CGSC)

ORDER (ORAL)
{As per Hon'ble Mr. Justice L. Narasimha Reddy, Chairman}



The Superintendent of Post Offices, Anantapur Division, the 3rd respondent, initiated steps for selection and appointment of Grameena Dak Sevak Mail Carrier / Mail Deliverer (for short “GDS MC/MD”). The post was reserved in favour of Schedule Tribe. The applicant and three others responded. Verification of the certificates was to take place on 23.07.2012. On that day, only two candidates said to have appeared i.e., the applicant and one R. Anil Kumar, but the latter did not submit his original certificate. Ultimately, the applicant was selected and appointed as GDS MC/MD, on 03.08.2012.

2. Two years thereafter, the 3rd respondent issued a notice to the applicant proposing to terminate her services on the ground that adequate number of applications were not received. The applicant filed this OA aggrieved by the notice dt. 04.08.2014.

3. The applicant contends that it is not her fault that other candidates did not appear and even otherwise, there were four applications as against the requirement of three. Reliance is also placed on the judgment of the Hon'ble High Court of Madras in WP No. 22500/1999 and the order of this Tribunal in OA No. 516/2009.

4. Respondents filed counter affidavit opposing the OA. It is stated that though four applications were received, only one i.e. the applicant filed the certificate and there was no competition at all. Other contentions urged by the applicant are denied.

5. We heard Sri B. Gurudas, learned Counsel for the applicant and Mrs. K. Rajitha, learned Senior Central Government Standing Counsel for the respondents.



6. It is no doubt true that the Department evolved a policy to the effect that there must be at least three applications, for a proper selection to take place. In the instant case, number of applications received is four. At the time of verification, only two turned up including the applicant and the other candidate is said to have not produced certificate. If one takes into account, the fact that the post has typical features and the vacancy is reserved for ST, the response cannot be better than that. It is no fault of the applicant. The relevant provision does not go to the extent of insisting that all the three candidates must be holding certificates and they must produce them.

7. We do not find any basis for issuing of the impugned order nor do we find any traces of illegality or impropriety in the selection and appointment of the applicant.

8. OA is accordingly allowed and the impugned order is set aside.

9. There shall be no order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMN.)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN

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