

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD**

Original Application No.020/00083/2014

Date of Order: 28.11.2019



Between:

Gadikota Ramesh Reddy, S/o G.Krishna Reddy,
Aged about 34 years,
Substitute Branch Postmaster,
Tappetla B.O. A/w Vallur SO,
R/o Tappetla Village & Post,
Vallur Mandal,
YSR Kadapa District – 516293
Prodatur Division.

... Applicant

And

1. Union of India, represented by
Its Secretary to Government of India,
Ministry of Communications & IT,
Department of Posts – India,
Dak Bhavan, Sansad Marg,
New Delhi – 110001.

2. The Chief Postmaster General,
A.P.Circle, “Dak Sadan”, Abids,
Hyderabad – 500001.

3. The Superintendent of Post Offices,
Proddatur Division,
Proddatur – 516360. Respondents

Counsel for the Applicant ... Mr. A.B.L.N.Pavan Kumar for
Mr.M.Venkanna, Advocate

Counsel for the Respondents ... Mr. Lakshman for
Mr.M.Venkata Swamy, Addl.CGSC

CORAM:

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



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

The Post of Gramin Dak Sevak Branch Post Master (GDS BPM)

for Tappetla BO, Kadapa District became vacant in the year 2011 on account of the promotion of the incumbent. Notification was issued on 27.07.2011 inviting applications. It is stated that the selection did not materialize and the respondents issued another notification dated 03.04.2012. When the same result ensured, 3rd notification was issued on 09.11.2012.

2. The applicant contends that though, in the selection process, he was awarded 374 marks, he was not selected and the post is kept vacant. He prays for calling of the records pertaining to the notification dated 09.11.2012 and to direct the respondents to consider and appoint him as GDSBPM.

3. Respondents filed a detailed counter affidavit opposing the OA. It is stated that when the candidates selected in the first two notifications dated 22.07.2011 and 03.04.2012 did not turn up, they issued 3rd notification dated 09.11.2012 and though five meritorious candidates were selected, and that the name of the applicant did not figured therein. It is also stated that the selected candidate did not comply

with the conditions and accordingly two more successive notifications dated 03.04.2012 and 09.11.2012 were issued.

4. Heard Mr.A.B.L.N.Pavan Kumar representing Mr.M.Venkanna, learned counsel for the applicant and Mr.Lakshman representing Mr.M.Venkata Swamy, learned standing counsel for the respondents.



5. It is rather strange that the post of GDSBPM could not be filled up, in spite of five attempts. Having regard to the typical nature of the post, the department is unable to appoint the persons against that post. One of the essential conditions for the post is that the selected candidate must be resident of the concerned village. When large number of candidates apply, the most meritorious would be selected and if they are not from the same village, the entire process would becomes virtually futile. The applicant was awarded 374 marks on the parameters adopted for this purpose. However, that did not enable him to be included in the list of five selected candidates. From the narration of the facts in the counter affidavit, it cannot be said that any injustice was caused to the applicant.

6. In OA.1341/2010 this Tribunal took the view that in case, none of the five selected candidates are appointed, the department should select the candidates from the remaining panel, instead of issuing a fresh notification.

7. We, therefore, dispose of the OA directing the respondents that in case the post of GDSBPM for Tappetla Village is still vacant, the

respondents shall take steps to finalize the selection, by choosing a candidate within the panel that is prepared on the basis of the marks obtained by the candidates, without taking recourse to fresh notification.

There shall be no order as to costs.



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

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN

(Dictated in open court)
Dated, the 28th day of November, 2019

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