

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA/021/00289/2020



HYDERABAD, this the 26th day of June, 2020.

THE HON'BLE MR.ASHISH KALIA : JUDICIAL MEMBER

THE HON'BLE MR.B.V.SUDHAKAR : ADMINISTRATIVE MEMBER

U. Mallaiah S/o Late U.Rajaiah,
Aged about 45 years, Gr.'C',
Occ :Gramin Dak Sevak Branch Postmaster,
Tuniki Branch Office, A/w Kadlakal Sub Office,
Medak Division, Medak-502336.

(By Advocate :Mr.B.Pavan Kumar)

...Applicant

Vs.

1. Union of India rep by the
Chief Postmaster General,
Telangana Circle, Hyderabad-1.
2. The Postmaster General,
Headquarter Region, Hyderabad-1.

(By Advocate :Mrs.K.Bharathi, Addl. CGSC)....Respondents

Oral Order
(perHon'bleMr.B.V.Sudhakar, Administrative Member)

Through Video Conference



The OA is filed in regard to the inaction of the respondents in considering the case of the applicant on relaxed standards under Physically Handicapped quota and without considering the same, announcing the results of the Limited Departmental Competitive Examination for promotion from Grameen Dak Sevak (GDS) to the cadre of Postal Assistants/ Sorting Assistants vide notification dt.06.08.2019.

3. Brief facts of the case are that the respondents issued a notification on 06.08.2019 for recruiting GDS to the cadre of Postal Assistants/ Sorting Assistants. The applicant, who is a GDS, applied pursuant to the said notification and appeared in the written examination conducted on 15.09.2019, comprising of 3 papers viz., Paper I, Paper 2 Paper 3. Papers 1 & 2 are of multiple choice questions and Paper 3 is on computer. Papers 1 is competitive paper and the papers 2 & 3 are qualifying, according to the applicant. Respondents on the examination date gave both the papers 1 & 2 along with answer sheets. However, the applicant marked answers of the paper 1 in the answer sheet of paper 2. The respondents have declared the

results wherein the applicant's name was not found in the select list. Aggrieved over the same, the OA has been filed.



4. The contentions of the applicant are that the respondents usually give paper 1 and once it is answered, paper 2 is given with its answer sheets. As the answer sheets of both papers 1 & 2 were given at once, the above confusion arose. Besides, the claim of the applicant is that no person has been selected under PH-3 (Orthopedically Handicapped) quota. The applicant also states that he made a representation on 04.02.2020 ventilating his grievance in regard to his non-selection, but the same has not been disposed of. The other contention of the applicant is that his case is covered under the Persons with Disabilities Act, 1995.

5. Heard both the counsel and perused the material on record.

6. The issue is in regard to the selection to the post of Postman/ Sorting Assistant through Limited Departmental Competitive Examination vide notification dt. 06.08.2019. Written examination was conducted pursuant to the notification, results of which were announced on 17.02.2020 and that the applicant was not selected. The applicant states that the respondents have not sequentially issued Paper 1 & Paper 2 along with answer sheets resulting in the applicant improperly marking the answers of the said papers. Besides, he claims that the provisions of the Persons with Disabilities Act, 1995 have not

been applied to his case though there are vacancies available under PH quota.

Applicant has also represented to the respondents on 04.02.2020, which has not been disposed of.



7. In view of the above, the respondents are directed to dispose of the representation of the applicant dt. 04.02.2020 keeping in view the grounds raised by the applicant in the OA and in particular, para 4.8 of the OA in regard to his selection, by issuing a speaking and reasoned order in accordance with law and as per rules, within a period of 8 weeks from the date of receipt of this order. It is made clear that the Tribunal has not gone into the merits of the case at this juncture of time.

OA is disposed of accordingly, at the admission stage itself. No order as to costs.

(B.V.SUDHAKAR)
ADMINISTRATIVEMEMBER

(ASHISH KALIA)
JUDICIALMEMBER

vl/evr