

**CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH**

**OA/021/00860/2020**

HYDERABAD, this the 18<sup>th</sup> day of December, 2020.



**Hon'ble Mr. Ashish Kalia, Judl. Member  
Hon'ble Mr. B.V. Sudhakar, Admn. Member**

K. Arun Kumar S/o Asheervadam,  
Age 34 years,  
Occupation : Inspection Vehicle Driver,  
O/o The Superintendent of Post Offices,  
Nalgonda Division,  
NALGONDA-508001.

...Applicant

(By Advocate : Mr.M.Venkanna)

Vs.

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

2. The Chief Postmaster General,  
Telangana Circle, “Dak Sadan”,  
Abids, Hyderabad 500001.

3. The Superintendent of Post Offices,  
Nalgonda Division,  
NALGONDA-508001.

....Respondents

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

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**ORAL ORDER**  
**(As per Hon'ble Mr.B.V.Sudhakar,Administrative Member)**



**Through Video Conferencing:**

2. Heard Mr. M. Venkanna, learned counsel for the applicant and Mrs. K. Rajitha, learned Senior Central Government Standing Counsel for Respondents.
3. The OA is filed to direct the respondents to permit the applicant to appear in the LDCE exam scheduled to be conducted on 20.12.2020 for promotion to the post of Postal Assistant/Sorting Assistant.
4. Brief facts are that the applicant is working as an Inspection Vehicle Driver in Nalgonda Division. He has applied for Limited Departmental Competitive Examination to be conducted on 20.12.2020. The Examination is meant for promotion to the post of Postal Assistant / Sorting Assistant. Applicant was initially issued the hall ticket and later, the respondents have directed the applicant to surrender the hall ticket and therefore the OA.
5. The contentions of the applicant are that while filling up the application on-line, the applicant has indicated that he belongs to the Despatch Rider cadre. Based on the said information, respondents have issued hall ticket to him. Later, when verified, as per the notification, they noticed that the applicant has applied as Despatch Rider, though actually he is an Inspection Vehicle Driver. Learned counsel for the applicant submitted that on the advice of Respondent No.3, the applicant has submitted online

application as Despatch Rider despite his actual cadre being that of an Inspection Vehicle Driver. He also states that as per the Recruitment Rules 2019, applicant is eligible to appear in the Examination. The learned applicant's counsel pleaded that the applicant may be allowed as an interim measure to appear in the exam and his selection be declared, subject to the finalization of the OA.



6. Opposing the pleas made by the Ld. Counsel for the applicant, Mrs.K.Rajitha, learned Senior Central Government Standing Counsel appearing for the Respondents submits that in the notification the Recruitment Rule cited is of 2015 wherein Inspection Vehicle Driver is not eligible to appear in the examination. Candidates who furnish incorrect information on-line for the exam would be ineligible to take the exam.

7. Considering the facts stated above, though we sympathize with the cause of the applicant, hall tickets have to be issued as per the terms and conditions laid down in the notification dated 9.11.2020. It is well settled that any decision contravening the terms and conditions of the notification will stand invalid. The applicant is an Inspection Vehicle Driver and as per the notification, he is not eligible to take the exam. He has submitted online application as Despatch Rider and the submission of the online application with incorrect information invalidates his candidature. The action of the Respondents in rectifying the error of mistakenly issuing the hall ticket, therefore, cannot be found fault with. Granting relaxation, as prayed for by the applicant's counsel to the applicant, even as an interim measure, would be rendering injustice to those who would have made one error or the other in uploading the online application, but did not approach the Tribunal,

accepting the necessity and responsibility to follow the instructions in the notification. Hence, the interim prayer for grant of permission to appear in the LDCE to be held on 20.12.2010 for promotion to the post of Postal Assistant /Sorting Assistant is declined. As there is nothing further to adjudicate, the Original Application is accordingly dismissed being devoid of merit. No order as to costs.



**(B.V.SUDHAKAR) (ASHISH KALIA)**  
**ADMINISTRATIVE MEMBER**                   **JUDICIAL MEMBER**

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