

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO. 814 OF 2002

WEDNESDAY, THIS THE 2ND DAY OF APRIL, 2003

HON. MAJ GEN K K SRIVASTAVA, MEMBER (A)
HON. MRS. MEERA CHHIBBER, MEMBER (J)

Smt. Urmila Singh,
w/o Sri Gyanendra Bahadur Singh
r/o Village & Post- Chakaraa (M.G.R.D)
Dobhi, Dist:- Jaunpur.

....Applicant.

(By Advocate:- Shri A.K.Upadhyaya and Sh. I.R.Singh)

Versus

1. Superintendent of Post Offices,
Jaunpur Region,
Jaunpur.
2. Director Postal Services,
Allahabad Range,
Allahabad.
3. Union of India through its Secretary Department
of Post India,
New Delhi.
4. Ajai Vikram Singh,
s/o Shri Ram Dular Singh,
r/o Village+Post Office
Chakra, (M.G.R.D) Dobhi,
Dist:- Jaunpur,
Uttarpradesh.

...Respondents.

(By Advocate:- Shri R.C.Joshi)

O R D E R

HON. MAJ GEN K K SRIVASTAVA, MEMBER (A)

This O.A has been filed under Section 19 of
Administrative Tribunals Act, 1985. The applicant has
sought for following reliefs:-

- i) issue an order quashing the impugned order
dated 1.7.2002 passed by respondent no. 1,
superintendent of Post Offices, Jaunpur Region
(Annexure-1)
- ii) issue an order or direction to the respondent
no. 1 to consider the candidature of applicant
for the post of E.D.B.P.M, Chakara (M.G.R.D.)
Dobhi, Jaunpur and appointed the applicant from
due date and also to give all the service
benefits. *✓*

- iii) grant such other and further reliefs as this Tribunal may deem fit and proper under the circumstances of the case.
- iv) to award cost throughout.
- v) to quash the order of appointment dated 11-7-2002 issued by respondent no. 1, superintendent of post offices, Jaunpur region, Jaunpur. (Annexure-12)

2. The facts, in short, are that the applicant applied for the post of Extra Departmental Branch Post Master (in Short EDBPM), Chakra, District Jaunpur in pursuance to the notification dated 4-4-2002. The applicant is aggrieved that inspite of the fact that she is the most meritorious candidate and also that she has sufficient independent income, the respondents have not considered her case for the appointment of EDBPM, instead the respondents have appointed respondent no. 4 as EDBPM (GDS). The applicant has challenged the action of the respondents by filing this O.A which has been contested by the respondents by filing counter reply.

3. Shri A.K.Upadhyaya learned counsel for the applicant invited our attention to Annexure '8' (page 27) which is regarding the method of recruitment of EDA's and submitted that the sole criterion for appointment as EDBPM is the merit in High School. The applicant has secured 76.4% in High School whereas the respondent no.4 has passed High School only with second division.

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4. The learned counsel for the applicant further submitted that the applicant filed the attested copy of the Khatauni alongwith her application where it is clearly mentioned that the applicant is having land in her own name. Therefore, the question of not having independent source of income does not arise.

5. Shri R.C.Joshi, learned counsel for the respondents, opposing the claim of the applicant, submitted that the case of the applicant was considered for appointment as EDBPM. Since she failed to give her income certificate alongwith application, her case was considered and she could not be given appointment for want of required document. At this time the learned counsel for the applicant submitted that another certificate, issued by Tehsildar on 5-6-2002, was submitted stating that the income of the applicant is Rs. 1500/- per month.

6. We have heard counsel for the parties considered their submissions and perused records.

7. Perusal of Annexure-2, which is the notification dated 4-4-2002, leaves no doubt that as per conditions every applicant was required to submit an income certificate alongwith one's application. Admittedly the applicant filed the income certificate of her father in the initial stage which can not be construed as her independent income. Submitting the income certificate later on does not help her because the cut-off date for the submissions of the applications was 3-5-2002 and on that date the application of the applicant was incomplete. In our view, respondents have committed no error of law in not offering appointment to the applicant.

8. We do not find any good ground for interference. The O.A is, thus, devoid of merits and is liable to be dismissed. The O.A is accordingly dismissed with no order as to costs.



MEMBER (J)



MEMBER (A)

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