

2

9

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH; CUTTACK.

ORIGINAL APPLICATION NO.684 OF 1994

Cuttack, this the 14th day of March, 2002.

Krushna Chandra Pradhan, Applicant.

vs.

Union of India & Others, Respondents.


FOR INSTRUCTIONS

1. whether it be referred to the reporters or not?
2. whether it be circulated to all the Benches of the Central Administrative Tribunal or not?

} NO


(MANORANJAN MOHANTY)
MEMBER (JUDICIAL)

14/03/2002


(M.P. SINGH)
MEMBER (ADMINISTRATIVE)

....

9

10

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

ORIGINAL APPLICATION NO.684 OF 1994.
Cuttack, this the 14th day of March, 2002.

C O R A M:

THE HONOURABLE MR. M. P. SINGH, MEMBER (ADMINISTRATIVE).
A N D
THE HONOURABLE MR. MANORANJAN MOHANTY, MEMBER (JUDICIAL).

.....

KRUSHNA CHANDRA PRADHAN,
Aged about 22 years,
Son of Jadumani Pradhan,
Vill:Kandarpur,
PS:Sadar, Dist.:Cuttack.

..... APPLICANT.

By legal practitioner : Miss.D.R.Nanda, Mr.S.B.Das, Advocates.

-VERSUS-

1. Union of India represented through its Secretary to Government of India, Department of Posts, New Delhi.
2. Chief Postmaster General, Orissa, Bhubaneswar, At/PO:Bhubaneswar, Dist:Khurda.
3. Senior Superintendent of post Offices, Cuttack City Division, Cuttack.
4. Sanjukta Nanda, w/o:Pratap Hota of Kandarpur, PS:Sadar, Dist.Cuttack.

..... RESPONDENTS.

By legal practitioner: Mr.A.K.Bose,
Senior Standing Counsel (Central)
for Respondents 1 to 3.

M/s.D.S.Mishra, K.K.Mishra,
S.Moharana, S.Mohanty,
Advocates for Res.NO.4.

.....

O R D E R

(ORAL)

MR. M. P. SINGH, MEMBER (ADMINISTRATIVE) :-

In this Original Application under Section 19 of the Administrative Tribunals Act, 1985, the Applicant challenges the selection and appointment of Respondent No.4 to the post of Extra Departmental Branch Postmaster, Kandarpur Branch Post Office . He has also prayed for a direction for consideration of his case for the said post.

2. Short fact^{are} of the case is that the post of Extra Departmental Branch Post Master, Kandarpur Branch Post Office fell vacant due to death of the permanent incumbent. The Respondents called for the names from the Employment Exchange, Cuttack vide its letter dated 4-1-1994 for appointment to the post of Extra Departmental Branch Post Master. The Employment Exchange sponsored a list of five candidates including the name of Applicant and Respondent No.4. All the sponsored candidates were intimated by the Respondent No.3 to submit their application with required documents by 5-4-1994. After getting the particulars/documents, the Respondents verified the same. Out of the five sponsored candidates, one Shri Baidyanath Rout who had secured highest marks in the Matriculation examination left for joining in the Indian Air Force. The candidate who had secured second highest marks in the matriculation examination, did not submit the landed property and as such he was not found suitable

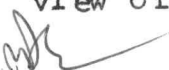
MR

for appointment to the post in question. The Respondents have considered the other persons for the said post and since the Respondent No. 4 had secured highest marks in the Matriculation, she was selected and appointed to the said post.

3. We have heard Mrs. Priyambada, learned counsel for the Applicant and Mr. A.K. Bose, learned Senior Standing Counsel (Central) appearing for the Respondents 1 to 3. None has appeared for the Respondent No. 4. We have also perused the records.

4. The contention of the applicant is that Respondent No. 4 has not submitted all [✓]h₂s documents before the cut off date i.e. '5-4-1994' and therefore, she should not have been considered for the post of E.D.B.P.M. On a perusal of the documents, we find that the Respondent No. 4 has submitted the application and all other documents in time i.e. before 5.4.1994. However, she has submitted her Income certificate on 7th April, 1994 i.e. two days after the cut off date as the same had obtained by the Respondent No. 4 from the Office of the Tahasildar on 7th April, 1994.


5. The main consideration for appointment to the post of Extra Departmental Branch Post Master is the marks secured in the Matriculation examination. In the counter filed by the Respondent Nos. 1 to 3 it has been stated that the Respondent No. 4 has secured more marks in the matriculation examination than the Applicant. In view of this we find that Respondent No. 4 is more



meritorious than the Applicant and as such, we do not find any ground to interfere in the selection and appointment of Respondent No.4, to the post of E.D.B.P.M., Kandasapur Branch Post Office.

6. In the result, therefore, the Original Application is dismissed. No costs.


(MANORANJAN MOHANTY)
MEMBER (JUDICIAL) 14/03/2002


(M. P. SINGH) 14/3/2002
MEMBER (ADMINISTRATIVE)

KNM/CM.