

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

OA. 1201 of 1996

Date of Order: 16.7.98.

Present: Hon'ble Mr.Justice S.N.Mallick, Vice-Chairman.  
Hon'ble Mr.S.Dasgupta, Administrative Member.

SURAJIT BARMAN

-VS-

UNION OF INDIA & ORS.

For the petitioner: Mr.A.N.Sen, counsel.

For the respondents: Mr.S.P.Kar, counsel(Official)  
Dr.(Ms) S.Sinha, counsel(Private)  
Heard on: 16.7.98.

O R D E R

S.Dasgupta, AM.

1. This application was filed challenging the selection of the private respondent no.5 to the post of Extra Departmental Branch Post Master, Bamanpara Post Office on the basis of a selection held on 15.6.96. The applicant has stated that he was one of the sponsored candidates of the Employment Exchange but he was not selected while the respondent no.5, who did not have landed property and was a Sub-Organiser of the Peerless Investment Company and was also related to one Amrendra Barman who was working in the Bamanpara Post Office, was selected for the post.

2. Both the official respondents and the private respondent filed separate replies. It appears from the reply of the official respondent that the respondent no.5 was selected on the basis post as he had obtained highest marks in the Madhyamik Examination. It is also stated that the applicant did have landed property and he was otherwise eligible for the post.

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3. The conditions for appointment to the post of Extra Departmental Agents are contained in section (iii) of the Extra Departmental Agents (Service and Conduct) Rules. It is specifically provided therein that the determining criteria for the post of EDBPM is the marks obtained in the Matriculation or equivalent examination. Respondents have specifically come out with the contention that the respondent no.5 had obtained highest marks in the said examination. There is nothing on record to rebut this contention. So far as the other conditions are concerned, respondents have conducted verification and have come to the conclusion that the respondent no.5 had fulfilled all the required conditions and we see no reason to make any independent enquiry in this regard. Although the respondents have not specifically mentioned anything about the respondent no.5 being a Sub-Organiser of the Peerless Company, we find nothing in the rules which debars a person to be appointed on the post even if he is working as a Sub-Organiser of the Peerless Company. As regards the applicant's allegation that a relation of respondent no.5 is working in the same sub-post office, respondents have stated that such allegation is wholly baseless.

4. In view of the foregoing, we see no infirmity in the selection of respondent no.5 and his subsequent appointment to the post of EDBPM. The application is wholly devoid of merit and is accordingly rejected at the admission stage itself. No order as to costs.

  
(S. Dasgupta)  
Member(A)

  
(S.N. Mallick)  
Vice-Chairman.