

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.574/2001.

Thursday this the 5th day of July 2001.

CORAM:

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN  
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

(By Advocate Shri M.R.Rajendran Nair)

vs.

1. Union of India represented by its Secretary, Ministry of Communications, New Delhi.
  2. The General Manager, Ernakulam Telecom District, BSNL, Ernakulam.
  3. The Assistant General Manager (Rectt), Office of the Principal General Manager, Telecom, Ernakulam.
  4. K.K.Alikunju, Kanappilly House, Eloor (N), Udyogamandal, Ernakulam-683 501.

(By Advocate Shri C.Rajendran, SCGSC(R.1-3)

The application having been heard on 5th July 2001  
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN

The applicant who is one of the candidates to the selection and appointment to the post of Driver (ordinary) under the 3rd respondent, pursuant to the notification dated 18.7.2000, has filed this application impugning the order (A6) by which four persons including the 4th respondent have been selected for appointment to that post. It is alleged in the application that one post of Driver is reserved for Other Backward Community (OBC for short), that the applicant is a member of the OBC, that the 4th respondent not being one among those who were interviewed on 2.4.2001, but one among the 9 who were put to Heavy Vehicle Driving Test on 2.5.01, have been selected and appointed and that the appointment of the 4th respondent is irregular. With these allegations, the applicant has sought to quash A-6 impugned order to the extent it relates to the selection of the 4th respondent against the vacancy reserved for OBC community and for a direction to the respondents to consider the applicant for appointment as Driver (ordinary grade) against the vacancy reserved for OBC.

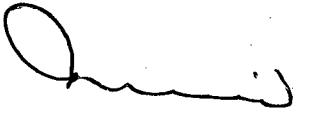
2. Senior Central Government Standing Counsel took notice on behalf of the respondents 1-3 and states that the 4th respondent was selected as he belongs to OBC and found to be more meritorious. Apart from stating that the 4th respondent was not one among the 27 persons who were interviewed on 2.4.2001, there is no allegation in the application that the 4th respondent was not put to the required test and interview.

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3. As the selection has been made by a competent authority and as no allegation of malafides has been made in the application, we are of the considered view that judicial intervention is not required in this case.

4. In the result, in the light of what is stated above, the application is rejected under Section 19(3) of Administrative Tribunals Act, 1985.

Dated the 5th July 2001.

  
T.N.T. NAYAR  
ADMINISTRATIVE MEMBER

  
A.V. HARIDASAN  
VICE CHAIRMAN

rv

A-6: True copy of the final Select List No. ST/EK-234/Rectt/II/48 dated 15.5.2001 issued by the 3rd respondent.