

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA 270/99

Thursday the 25th day of March 1999.

CORAM

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR B.N.BAHADUR, ADMINISTRATIVE MEMBER

Udayaganesh P.V.
S/o Velayudhan
Punnokil House
Ollur, Thrissur Dist.Applicant.

(By advocate Mr. P. Ramakrishnan)

Versus

1. Union of India, represented by the Director General of Posts, New Delhi.
2. The Assistant Superintendent of Post Offices, Thrissur South Sub Division Thrissur.
3. Preethy Mohan
Extra Departmental Delivery Agent
Ollur, Thykattuserry, Thrissur.Respondents.

(By advocate Mr K. Shri Hari Rao R1-2)

The application having been heard on 25th March 1999, the Tribunal on the same day delivered the following:

O R D E R

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

Applicant who had participated in the interview for selection and appointment to the post of Extra Departmental Delivery Agent, Ollur is aggrieved that the third respondent has been selected and appointed solely basing on the higher marks obtained at the S.S.L.C. Examination while that should not be the criterian. It is also alleged that the applicant was not given weightage for his past experience and that a cycling test which is required was not held. With these allegations, the applicant has filed this application for quashing all proceedings which led to the selection and appointment of the third respondent, declaring that the selection to the post of EDDA basing solely on SSLC marks is arbitrary and illegal and for a direction to the respondents to re-do the selection.

2. Sri Shri Hari Rao, the Additional Central Government Standing Counsel, under instructions from the respondents, stated that the selection was properly done in accordance with the rules, considering all the 34 candidates, after holding cycling test, that as the first in merit declined to accept the offer of appointment, the third respondent, the next in merit was appointed. The counsel pleads that as the selection and appointment was made strictly in conformity with the rules, no interference is called for.

3. Having perused the application and other material and after hearing learned counsel on either side, we do not find any legitimate cause of action which needs consideration and redressal. As there is no allegation of malafides or any reason to suspect the correctness of the procedure followed, there is no scope for judicial intervention. Hence the application is rejected under Section 19 (3) of the Administrative Tribunals Act, 1985. No costs.

Dated 25th March 1999.

B.N.Bahadur

(B.N.BAHADUR)
ADMINISTRATIVE MEMBER


(A.V. HARIDASAN)
VICE CHAIRMAN

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