

1./ 20.8.96.

Shri S.N. Tiwary, the counsel for the applicant.

Heard Shri S.N. Tiwary, the learned counsel for the applicant. In this OA the agitation is for appointment of the applicant as EDDA for which selections were made as far back as 18.12.92. The case of the selected candidate came up for adjudication in OA 252/93, which was quashed by order of this Tribunal dated 4.10.95. In this judgement a mention was made that the present applicant in this OA was better candidate for appointment by virtue of his having secured highest marks ~~1976~~ amongst the candidates sponsored by the Employment Exchange. Since the selection of the applicant in that OA was quashed, the Postmaster General, Ranchi through a letter dated 25.6.96 had directed the Senior Superintendent of Post Offices, Ranchi to initiate a fresh selection ^{process for} ~~for~~ the post of EDDAs, Kumaharia post office in that division. The applicant has now come up that since this Tribunal had already indicated the superiority of the candidature of this applicant, ~~the~~ fresh selection ordered by the PMG, Ranchi is not proper and the applicant should be given appointment.

2. Having heard Shri S.N. Tiwary, I find the contention totally irrelevant and non-maintainable. The cause of action arose in December, 92 when ~~the~~ candidate who had secured less marks than this applicant was appointed. Subsequently, in ^{litigation} the appointment of that particular candidate was quashed. The Tribunal at no stage indicated that the person who had secured higher marks in that selection should be appointed, Once the appointment of EDBPM was quashed, In any case, the judgement and order passed by the Tribunal cannot be the cause of action for any further



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litigation in the matter. In view thereof, the application is totally time barred and non-maintainable. The OA is dismissed at the admission stage itself.

/CBS/

N. K. Verma
(N.K. Verma)
Member (A)