

Registered

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

APPLICATION No. 264/87 (F)

(WP.NO. —)

COMMERCIAL COMPLEX, (BDA)
INDIRANAGAR,
BANGALORE-560 038.

DATED: 7-10-87

APPLICANT

Vs

RESPONDENTS

T. R. Jayanithi

TO

Sr. Supt. of Post Offices, Bloke
And amr.

1. Kurn. T. R. Jayanithi,
ED SV Hosur Road,
Bangalore.
2. Sri M. R. Alchar, Advocate,
1074-1075,
Banashankari I Stage,
Srinivasanagar II Phase,
Bangalore-560 050
3. Senior Superintendent
of Post Offices,
East Division,
Bangalore-19.

4. Smt. S. Usha,
ED SV, N.R. Colony,
Bangalore-19.
5. Sri M. S. Radmarajiah,
Advocate (C&SC),
High Court Building
Bangalore-1.

SUBJECT: SENDING COPIES OF ORDER PASSED BY THE
BENCH IN APPLICATION NO. 264/87 (F)

....

Please find enclosed herewith the copy of the Order
passed by this Tribunal in the above said Application on

21 Sep 87.

ENCL: As above.

B. V. Subbanna
DEPUTY REGISTRAR
(JUDICIAL)

RECEIVED 5 copies 8/10/87. *o/c*

Diary No. 264/87

Issued Date: 8.10.87

CENTRAL ADMINISTRATIVE TRIBUNAL AT BANGALORE.

Coram: Hon'ble Mr. Justice K.S. Puttaswamy, Vice-Chairman,
and
Hon'ble Mr. L.H.A. Rego, Member (A).

DATED THIS THE TWENTY FIRST DAY OF SEPTEMBER, 1987.

Application No. 264/87

T.R. Jayanthi,
D/o Ramesh Iyenger,
Aged about 23 years,
ED SV Hosur Road,
Bangalore. (Shri M.R.Achar, Advocate)...Applicant.

vs.

1. Senior Superintendent of Post Offices,
East Division,
Bangalore. (Mr.M.S.Padmarajaiah, CGSC)

2. S. Usha,
ED SV, N.R. Colony,
Bangalore-19.

...Respondents.

This application having come up for hearing,
the Vice-Chairman made the following:-

O R D E R

In this application made under Section 19 of the
Administrative Tribunals Act, 1985 ('Act'), the applicant
has challenged Memo No. B2/A-5/VIII dated 27.3.1987
(Annexure-B) of the Senior Superintendent of Post Offices,
Bangalore South Division, Bangalore ('Superintendent').

2. The applicant, respondent-2 and several others
working as Extra Departmental Agents ('EDAs') appeared for
a departmental examination held on 15.2.1987, in which
they were successful.



3. On the basis of the declaration of results and the seniority maintained in the cadre of EDAs, the Assistant Superintendent of Post Offices, Bangalore ('ASP'), by his memo No. B2/2/PM/87 dated 29.6.1987 had appointed respondent-2 as a Post-Woman, and in pursuance of the same, respondent-2 had joined service and is now working.

4. In his reply, respondent-1 had asserted that respondent-2 had been appointed as an EDA as early as on 2.12.1981 and that she was senior to the applicant appointed as an EDA from 1.8.1983, and therefore, the former appointment was legal and valid. Respondent-2 has appeared in person and had supported respondent-1.

5. Shri M. RaghavendraAchar, learned counsel for the applicant, contends that the selection and appointment of respondent-2 who was junior to his client was illegal and invalid.

6. Shri M.S. Padmarajaiah, learned counsel for respondent No.1, sought to support the appointment of respondent No.2.

7. We find from the records that respondent-2 had been appointed as an EDA on 2.12.1981 and that she was senior to the applicant.

8. Shri Achar does not dispute that respondent-2 was successful in the examination held for the purpose. If that is so, then she had a right to be



appointed to the post on the basis of her seniority as an EDA. Hence her appointment as a Post-Woman was legal and does not suffer from any infirmity.

9. As the only contention urged for the applicant fails, this application is liable to be dismissed. We, therefore, dismiss this application. But in the circumstances of the case, we direct the parties to bear their own costs.

np/oms.

Sd/-

VICE CHAIRMAN

Sd/-

MEMBER (A)

- True copy -

R. V. Venkatesh
DEPUTY REGISTRAR
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE