

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
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Commercial Complex (BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 14 JUN 1988

APPLICATION NO.

1073 to 1077

/ 87(F)

W.P. NO.

Applicant(s)

Respondent(s)

Shri Suresh Shamarao Mujumdar & 4 Ors V/s The Secy, P & T Dept. New Delhi & another  
To

- |   |  |
|---|--|
| <p>1. Suresh Shamarao Mujumdar<br/>Pattankudi<br/>Chikodi Taluk<br/>Belgaum District</p> <p>2. Shri Mallappa Shidagirappa Pujari<br/>Aratal<br/>Athani Taluk<br/>Belgaum District</p> <p>3. Shri S.A. Nandeshwar<br/>Branch Post Master<br/>Chikodi<br/>Belgaum District</p> <p>4. Shri S.R. Patil<br/>Pattankudi<br/>Chikodi Taluk<br/>Belgaum District</p> <p>5. Shri T.R. Patil<br/>r/o Athani<br/>Athani Taluk<br/>Belgaum District</p> | <p>6. Shri G. Balakrishna Shastry<br/>Advocate<br/>No. 10/1, Kumarakrupa Road<br/>High Grounds<br/>Bangalore - 560 001</p> <p>7. The Secretary<br/>Post &amp; Telegraph Department<br/>New Delhi - 110 001</p> <p>8. The Superintendent of Post Offices<br/>Chikodi Division<br/>Chikodi - 591201<br/>Belgaum District</p> <p>9. Shri M.S. Padmarajaiah<br/>Central Govt. Stng Counsel<br/>High Court Building<br/>Bangalore - 560 001</p> |
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Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAY~~/~~INTERIM ORDER~~  
passed by this Tribunal in the above said application(s) on 9-6-88.

Encl : As above

d/c  
DEPUTY REGISTRAR  
(JUDICIAL)

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

DATED THIS THE 9TH DAY OF JUNE, 1988

Present | Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman  
and  
Hon'ble Shri L.H.A. Rego, Member (A)

APPLICATION NOS. 1073 TO 1077/87

1. Shri Suresh Shamrao Mujumdar,  
major, residing at Pattankudi,  
Taluk : Chikodi, Dist:Belgaum.
2. Shri Mallappa Shidagirappa Pujari,  
major, residing at Aratal,  
Taluk : Athani, Dist : Belgaum.
3. Shri S.A. Nandeshwar,  
major, BPM Post Master,  
Chikodi, Belgaum.
4. Shri S.R. Patil,  
major, residing at Pattankudi,  
Chikodi, Dist : Belgaum.
5. Shri T.R. Patil,  
major, residing at Athani  
Taluk : Athani, Dist : Belgaum.

... Applicants in  
A.Nos.1073 to  
1077/1987.

(Shri G. Balakrishna Shastry, Advocate)

v.

1. Union of India by the Secretary,  
Post and Telegraph Department,  
New Delhi.
2. The Superintendent of Post Offices,  
Chikodi Division, Chikodi, Belgaum. ... Respondents.

(Shri M.S. Padmarajaiah, C.G.S.S.C.)

These applications having come up for hearing to-day,  
Vice-Chairman made the following:

ORDER

In these applications made under Section 19 of the  
Administrative Tribunals Act, 1985 ('the Act'), the  
applicants have challenged order No. BA-2/10/17/86-87  
dated 29.7.1987 (Annexure-A1) of the Superintendent of  
Post Office, Chikodi Division, Chikodi (Superintendent).

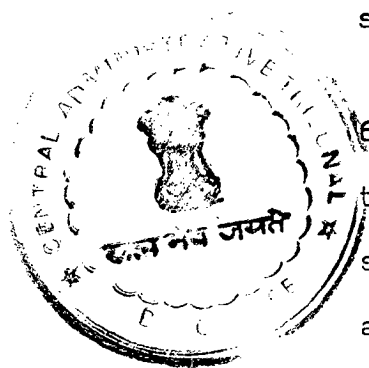
2. The impugned order cancelling the earlier select list prepared on 17.11.1982 (Annexure-A6) has been made by the Superintendent as a sequel to the order made by this Tribunal in Application Nos. 1095, 1096 and 1100 to 1104 of 1986 decided on 27.11.1986 (Annexure-A8). In those cases, this Tribunal has set out the facts in detail. In the impugned order, the Superintendent had set out all the subsequent events thereafter and therefore it is unnecessary to set out the facts of these cases in detail.

3. In justification of the impugned order, the respondents have filed their reply and have produced their records.

4. Sri G. Balakrishna Shastri, learned counsel for the applicants, contends that the cancellation of the previous select list validly prepared by the then Superintendent was illegal, improper and unjust.

5. Sri M.S. Padmarajaiah, learned Senior Central Government Standing Counsel appearing for the respondents sought to support the impugned order.

6. In his order, the Superintendent has pointed out that the number of vacancies which existed for which selections had to be made were only 6 distributed as 5 and one for open competition for scheduled castes and the then Superintendent had selected as many as 12 persons or as if there were 12 vacancies. In the course of his order, he has also alluded to various other illegalities and improprieties which have been highlighted in the reply and a report of the vigilance officer.



7. We are of the view that the very first circumstance, stated in the order justified the cancellation of the earlier select list. We are also of the view that all other circumstances highlighted in the reply and the report of the Vigilance Officer who had made an indepth study justified the cancellation of the earlier select list. We see no illegality or impropriety in the order made by the Superintendent.

8. We are also informed by Shri Padmarajaiah that all the applicants are being continued as extra departmental agents. We are of the view that this circumstance also justifies us to decline to interfere with the impugned order which is also legal and just.

9. In the light of our above discussion, we hold that these applications are liable to be dismissed. We, therefore, dismiss these applications. But, in the circumstances of the case, we direct the parties to bear their own costs.



np/Mrv.

sdl-

VICE-CHAIRMAN

TRUE COPY

sdl-

MEMBER (A)

9.6.88

*[Signature]*  
CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE