

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560 038.

Dated:- 18 APR 1994

APPLICATION NUMBER: 1025 of 1993.

APPLICANTS:

Sri.N.R.Ravikumar
Te.

RESPONDENTS:

v/s. The Asstt.Suptd.of Post Offices,
Channapatna Sub-Dvn, Bangalore & Others.

1. Dr.M.S.Nagaraja, Advocate, No.11, Second Floor,
First Cross, Sujatha Complex, Gandhinagar,
Bangalore-560 009.
2. The Post Master General,
Karnataka Region, Bangalore-1.
3. Sri.M.S.Padmarajaiah, Senior Central Government
Standing Counsel, High Court Building, Bangalore-1.

Subject:- Forwarding of copies of the Orders passed by the
Central administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the ORDER/
STAY ORDER/INTERIM ORDER/, passed by this Tribunal in the above
mentioned application(s) on 04th April, 1994.

Issued on
18/4/94

R.

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S. Shankar (S)
for DEPUTY REGISTRAR
JUDICIAL BRANCHES.

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CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE BENCH

APPLICATION NUMBER 1025 OF 1993

MONDAY THIS THE 4TH DAY OF APRIL, 1994.

Mr. Justice P.K. Shyamsundar, ... Vice-Chairman.

Mr. T.V. Ramanan, ... Member(A)

N.R. Ravikumar,
Aged 24 years.,
S/o Shri Rangaiah,
Nagavara Post,
Channapatna Taluk,
Bangalore District.

.. Applicant.

(By Advocate Dr. M.S. Nagaraja)

v.

1. The Assistant Superintendent of Post
Offices, Channapatna Sub-Division,
Bangalore District.

2. The Superintendent of Post Office,
Channapatna Division,
Channapatna.

3. Union of India,
represented by Secretary to
Government, Ministry of Communication,
Government of India, New Delhi.

.. Respondents.

(By Standing Counsel Shri M.S. Padmarajaiah)

O R D E R

Hon'ble Mr. Justice P.K. Shyamsundar, Vice-Chairman:-

Admit. The applicant laments in this application the order dated 8-12-1993 (Annexure-B) made by the Superintendent of Post Office, Channapatna Division, under which his temporary induction as Branch Post Master stood terminated with effect from the date of the order. Although the order did not state why his services were being terminated, but as a matter fact the order appointing him as Branch Post Master, albeit a temporary post, dated 15-10-1991, states that he was being appointed in place of one Sri N.K. Lingaraju who was put off from service pending inquiry etc. It is now found, the department having felt impelled to fill up the post in question regularly called for names

from the local employment exchange. As a matter of fact, the applicant was one among the 12 people sent up for consideration by the employment exchange. We have found, the department had meticulously scrutinised each and every one of the applicants and finally taking into consideration the marks secured by the candidates in the S.S.L.C. examination, feeling that to be an objective criteria for appointment, appointed one G.Rangaswamy to the post since he had topped the list having secured 385 marks as against the applicant who was included at the bottom of the list having secured only 233 marks. In between there are many others who had secured higher marks than the applicant. All the candidates appear to have uniformly stated their income to be Rs.3500/- per annum and when we asked the learned Standing Counsel to tell us whether the department has made any verification pertaining to their income, he submitted that the department had simply accepted the statements made by the candidates regarding their income and that the evaluation made by the candidates as aforesaid had been taken to be true. In that situation it becomes clear there was no disparity in the income but the basis of higher merit led to the appointment of Sri Rangaswamy having secured more marks than the applicant. Therefore, the applicant cannot certainly have any grievance at all because the better of the two had got the post.

This application therefore, fails and is dismissed. No costs.

Dr.M.S.Nagaraja, learned counsel for the applicant submits that the department has lauded the serivces of the applicant during the ^{existing} period, and on that basis he asked us to commend to the department the consideration of his client's case for filling up any other ^{post} place wherever available. We certainly do that. If the applicant is found to be suitable

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for appointment in the department, they may consider him for the post subject to the applicant making a suitable application for the purpose and also subject to eligibility and the law permitting as well.

Sd-

MEMBER(A)

Sd-

VICE-CHAIRMAN

np/070494

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SECTION OFFICER (S)
ADDITIONAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE