

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-38.

Dated:

21 JAN 1994

APPLICATION NO(s) 602 of 1993.

APPLICANTS:

Sri.B.R.Rangaraj Urs

RESPONDENTS:

v/s. Secretary,Dept.of Posts,NDelhi & Others.

TO.

1. Sri.S.K.Mohiyuddin, Advocate,
No.11, Jeevan Buildings,
Kumarapark East,Bangalore-1.
2. Sri.G.Santhappa, Addl.Central
Govt.Stang.Counsel, High Court Bldg,
Bangalore-1.

SUBJECT:- Forwarding of copies of the Orders passed by
the Central Administrative Tribunal, Bangalore.

-XXX-

Please find enclosed herewith a copy of the
ORDER/STAY ORDER/INTERIM ORDER/, Passed by this Tribunal
in the above mentioned application(s) on 21-12-1993.

Sealed 21/1/94
for DEPUTY REGISTRAR
JUDICIAL BRANCHES.

gm*

Sealed 21/1/94

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE BENCH

ORIGINAL APPLICATION NUMBER 602 OF 1993

TUESDAY THIS THE 21ST DAY OF DECEMBER, 1993.

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

Mr. V. Ramakrishnan, ... Member (A)

B.R. Rangaraj Urs,
Aged 32 years,
S/o RamaRaj Urs, Suleripalya
a/w Hanur S.O.,
Rampur Hobli, Kollegal Taluk,
Mysore District. .. Applicant.
(By Advocate Shri S.K. Mohiyuddin)

v.

1. The Union of India
through Secretary,
Ministry of Posts,
New Delhi-110 001.
2. Senior Superintendent of Post
Offices, Nanjangud.
3. Sub-Divisional Inspector,
(Posts), Kollegal Sub-Division,
Kollegal-571 440.
4. C. Prabhuswamy,
EDDA, Suleripalya, Rampura Hobli,
Kollegal Taluk. .. Respondents.

By Standing Counsel Shri G. Shanthappa)

O R D E R

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

This is a case in which the applicant is aggrieved with his non-continuance as Extra Departmental Devivery Agent to place which/he was provisionally appointed in the year 1988. Admittedly the position is that the applicant had not passed the S.S.L.C. examination for which he appeared as a private candidate in 1990. He claims however, as per the relevant Rules applicable to him, he was qualified as he had completed the 8th standard.



2. We have heard Shri S.K. Mohiyuddin, learned counsel for the applicant and also seen a copy of the statement of marks

obtained by the applicant in the S.S.L.C. examination as also the original transfer certificate issued by the Government Higher Secondary School, Basappanadoddi, Kollegal Taluk, from which it is clear that the applicant was promoted to the 7th standard on 30-3-1988 and had obtained the transfer certificate in November, 1988. No material has been furnished before us to show that he had in fact joined the 8th standard and had successfully completed the said course. Since the relevant rule requires that an E.D. agent should have the minimum qualification of 8th standard and as the applicant has not been able to establish that he had atleast entered the 8th standard, he cannot lay claim to continue as EDDA to which place he had been provisionally appointed earlier. We therefore, find no merit in this application which accordingly fails and is dismissed.

3. Shri Mohiyuddin however, submits that if any vacancy is available with the postal department which is also commensurate with applicant's qualification, the department should be directed to consider the case of the applicant sympathetically for any such post keeping in view the fact that he had put in three years of service as EDDA. We have no objection for making such an observation and state that if any vacancy is available or were to arise in the near future for which the qualification of the applicant is adequate, his case may be considered sympathetically for the same subject to his being otherwise eligi-

TRUE COPY
S. Shambhu
21/1/94
SECRY. OFFICE
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

Sd-
U MEMBER(A)

Sd-
VICE-CHAIRMAN.