

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

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

Dated: 29 NOV 1994

APPLICATION NO: 1229 of 1994.

APPLICANTS:- Sri.P.Ranganga,  
V/S.

RESPONDENTS:- The Sr.Suptd. of Post Offices, Mysore Division,  
and another.

To

1. Sri.U.Panduranga Nayak, Advocate,  
No.7, Upstairs, Fourth Cross,  
Srirampuram, Bangalore-560021.
2. Sri.M.Vasudeva Rao, Addl. Central  
Govt. Stng. Counsel, High Court bldg,  
Bangalore-1.

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

—xx—

Please find enclosed herewith a copy of the ORDER/  
STAY ORDER/INTERIM ORDER/ passed by this Tribunal in the above  
mentioned application(s) on 23-11-1994.

olc  
copies issued  
on 29/11/94  
[Signature]

[Signature]  
for DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

ORIGINAL APPLICATION No.1229/1994

WEDNESDAY, THIS THE 23RD DAY OF NOVEMBER, 1994

SHRI JUSTICE P.K. SHYAMSUNDAR .. VICE CHAIRMAN

SHRI T.V. RAMANAN .. MEMBER (A)

P. Ranganna,  
S/o R. Puttaswamy,  
aged 31 years,  
E.D. Packer, S.K.Mills  
Post Office, Mysore. ... Applicant

(By Advocate Shri U. Panduranga Nayak)

Vs.

1. The Senior Superintendent of Post Offices,  
Mysore Division, Mysore - 570 020.
2. B.P. Pavankumar, Major,  
C/o Senior Superintendent of Post Offices,  
Mysore Division, Mysore - 570 020. .. Respondents

(By Advocate Shri M. Vasudeva Rao,  
Addl. Central Govt. Stg. Counsel)

ORDER

The applicant, who is an E.D. Agent sought to improve his prospects by turning out <sup>CV</sup> for an examination prescribed for selection to the post of Postman. He competed along with several others for the seven vacancies available at a particular juncture. We are told, out of seven vacancies, six only were available for general candidates with one being reserved for an S.C.

2. It transpires, on the basis of the performance at the examination, the applicant was empanelled for consideration for appointment as Postman as could be seen from Annexure-A1. Subsequently, his name was deleted on the ground that he had been wrongly fitted into the reserved vacancy (under Annexure-A3). Thereafter,



a further list was prepared as at Annexure-A5, which totally removed him from the list of eligible persons and instead one Pavankumar was included as seventh candidate after relaxing the Recruitment Rules. We are told by the learned standing counsel that Pavankumar was considered for appointment on compassionate grounds but they had asked the Regional Director, Regional Office, to forward the name of an S.C. candidate who has qualified for appointment against the seventy reserved vacancy. The result is that the applicant is now out of the reckoning and is consequently aggrieved.

3. We do not see how we can assist him because being a general candidate, he could not have been fitted into a reserved vacancy. We may also state and there is no dispute, the seventh vacancy was earmarked for reserved category and apparently fitting out the applicant into the reserved vacancy is an obvious error which was subsequently been rectified without loss of time on its own. It is well established that every authority is bound to make mistakes and can correct the mistakes provided it is an error due to oversight. In this case, it has happened. By mistake, the applicant was put into the panel although he was not entitled because the position had to go to an S.C. candidate. Hence, the action taken to remove his name from the panel is apparently correct and legally tenable and therefore same cannot be called in question. The application hence fails and is dismissed. It will however be open to the applicant to take his chance again whenever vacancies are notified and subject, ofcourse, to the applicant being eligible. Learned counsel for the applicant suggests that the applicant should be selected without appearing for examination afresh. We are not quite sure whether there is any such provision in the rules of recruitment. If there is any

provision, it is open to the applicant to rely on the same and to ask the department to act accordingly subject to a vacancy coming up in the near future.

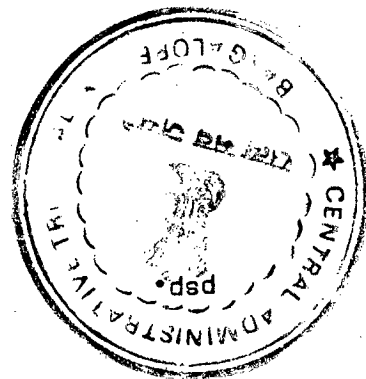
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(P.K.SHYAMSUNDAR)  
VICE CHAIRMAN

( T.V. RAMANAN )  
MEMBER (A)

Sd/-

Sd/-



**TRUE COPY**  
Section Officer  
Central Administrative Tribunal  
Bangalore Bench  
Bangalore  
29/11/14

BRITISH  
REPUBLICAN GROUP  
COMMUNIST PARTY OF GREAT BRITAIN  
SECRETARY GENERAL

JOHN COLE