

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 152/98

Date of Decision: 3.4.98

Shri Ganpat Mahadeo Zanjurne ————— Applicant.

Shri S.P.Kulkarni. ————— Advocate for
Applicant.

Versus

Union of India and others. ————— Respondent(s)

Shri S.S.Karkera for ————— Advocate for
Shri P.M.Pradhan. ————— Respondent(s)

CORAM:

Hon'ble Shri. Justice R.G.Vaidyanatha, Vice Chairman.

Hon'ble Shri. P.P. Srivastava, Member (A)

(1) To be referred to the Reporter or not? *W*

(2) Whether it needs to be circulated to
other Benches of the Tribunal? *W*

R.G.Vaidyanatha
(R.G. Vaidyanatha)
Vice Chairman.

NS

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH 'GULESTAN' BUILDING NO:6
PRESCOT ROAD, MUMBAI:1

Original Application No. 152/98

Friday the 3rd day of April 1998.

CORAM: Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman.

Hon'ble Shri P.P. Srivastava, Member (A)

Ganpat Mahadeo Zanjurne
Extra Departmental Branch
Postmaster, Dongar Patoda,
Beed.

... Applicant.

By Advocate Shri S.P. Kulkarni

V/s.

Union of India through
Superintendent of Post Offices
Beed Postal Division
At. P.O. Beed.

Postmaster General
Aurangabad Region
At. P.O. Aurangabad.

Shri Vilas Kacharu Waghmare
Resident of Belkhandi
P.O. Dongar Patoda Tal Beed
(Via -Rajuri Navgan)
District Bee.

The District Employment
Officer, Beed
At P.O. Beed.

... Respondents.

By Advocate Shri S.S.Karkera for Shri P.M.Pradhan.

O R D E R (ORAL)

¶ Per Shri Justice R.G.Vaidyanatha, Vice Chairman

In this application, the applicant is challenging the selection of respondent No.3 for the post of Extra Departmental Branch Postmaster, Dongar Patoda, Beed. The learned counsel for the official respondents opposed the application. Respondent No.4 has filed reply. We have heard counsel for both sides regarding admission and interim relief.

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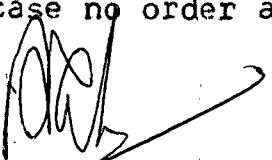
2. It is admitted before us that the department had considered 20 candidates including the applicant and respondent No.3 and on merits respondent No.3 has been selected. The learned counsel for official respondents placed before us the tabulation of marks of all the candidates, from which it is seen that respondent No.3 has got highest marks in the S.S.L.C. which is the minimum qualification for the post in question. We are satisfied that respondent No.3 has been selected on merits. The applicant has not been selected in view of the better qualified candidates. In these circumstances there is no ground to quash the appointment of respondent No.3.

3. The learned counsel for the applicant made a grievance that proper weightage to the applicant on provisional service of Extra Departmental Branch Postmaster has not been considered and necessary direction may be given to the respondents to consider the case of the applicant for future vacancy as and when arises. The learned counsel for the respondents states that the department has no objection to consider the case of the applicant as per rules. It is not disputed that the applicant has worked on provisional basis or adhoc basis as Extra departmental Branch Postmaster for 14 months. Naturally due weightage should be given to the service of the applicant while considering the candidates for selection as per Rules.

4. In the result the application is disposed of at the admission stage with a direction to the official respondents that in case ^{of any} future vacancy in Beed Postal Division arises then applicant's



case may be considered on merits subject to due weightage to the post as per Rules. The ad-interim order granted is hereby vacated. In the circumstances of the case no order as to costs.


(P.P. Srivastava)
Member (A)


(R.G. Vaidyanatha)
Vice Chairman

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(B)