

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

XXXXXXXXXXXXXXXXXXXX

O.A. No. 566/89.

498

F.A.-No.

DATE OF DECISION 15-5-92

M. Veeraiah & another Petitioner

Shri E.S. Ramachandra Murthy Advocate for the Petitioner(s)
(Not present)

Versus

The Regl. Director of Postal Service Respondent
Kurnool & 3 others

Shri N. Bhaskara Rao, Addl. CGSC Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. R. Balasubramanian : Member(A)

The Hon'ble Mr. C. J. Roy : Member(J)

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether it needs to be circulated to other Benches of the Tribunal?

No

(AS)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.A.No.566/89.

Date of Judgement / -5-92

1. M.Veeraiah
2. D.Chinnakotilingam .. Applicants

Vs.

1. The Regl. Director of
Postal Services,
Kurnool.
2. Supdt. of Post Offices,
Nandyal Division,
Nandyal.
3. The Chief Postmaster-General, ~~AP~~
~~General Post Office,~~
Hyderabad.
4. M.Subba Rao .. Respondents

Counsel for the Applicants : Shri E.S.Ramachandra Murthy
(Not present)

Counsel for the Respondents : Shri N.Bhaskara Rao,
NO. 1653. Addl. CGSC

Counsel for the respondent no. 4: Mr. T. Raghunath Reddy, not present.

CORAM:

Hon'ble Shri R.Balasubramanian : Member(A)

Hon'ble Shri C.J.Roy : Member(J)

[Judgement as per Hon'ble Shri R.Balasubramanian,
Member(A)]

This application has been filed by Shri M.Veeraiah & another under section 19 of the Administrative Tribunals Act, 1985 against the Regl. Director of Postal Services, Kurnool & 3 others. Respondent No.4 is a private respondent. The prayer in this application is for a declaration that the appointment of the 4th respondent as B.P.M. Sunkesula as illegal and for a direction to the respondents to appoint anyone of the eligible candidates to the post.

2. The respondents invited applications for filling up the post of B.P.M. Sunkesula. Among the 5 who responded to the notification are the 2 applicants as also Respondent No.4. The Department selected Respondent No.4 for the post. The applicants are aggrieved that they have

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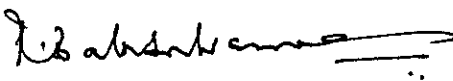
better qualifications than Respondent No.4 and hence the selection is bad in law. Not finding any success with the respondents they have approached this Tribunal with this O.A.

3. The respondents have filed a counter affidavit and oppose the application. It is stated that after proper notification 5 applications were received and after scrutiny they found that Respondent No.4 was the best and hence they selected him for the post.

4. The case was listed for dismissal on observing lack of interest on the part of the applicants. The case was listed ^{on 29-4-92} under the heading 'For dismissal' and still there was no representation from the applicants' side. Hence the Bench decided to hear the respondents' side and decide the case on available material. Accordingly we have heard Shri N.Bhaskara ^{Rao} learned counsel for the respondents who contended that the notification was proper and that Respondent No.4 whom they have selected fulfils the requirements of the recruitment rules. On the other hand, the applicants contend that they have better experience. This is countered by the respondents by stating that such experience was not as a result of appointment by the Department but they had no doubt gained some experience when they acted as substitutes of the regular incumbents at ^{various} ~~the relevant~~ times. It is their case that such experience does not ^{warrant} ~~have~~ any consideration according to the recruitment rules. We find that Respondent No.4 has all the qualifications required under the recruitment rules and once a person fulfils all the requirements of the recruitment rules the selections made by the respondents are, in our opinion, not to be interfered with. Under these circumstances


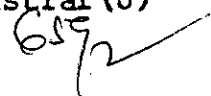
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we hold that there is no irregularity in the selection made by the respondents and we accordingly dismiss the application with no order as to costs.




(R. Balasubramanian)
Member(A).


(C. J. Roy)
Member(J).

 
Dated: 18th May, 1992.


Deputy Registrar(J)


To

1. The Regional Director of Postal Services, Kurnool.
2. The Superintendent of Post Offices,
Nandyal Division, Nandyal.
3. The Chief Postmaster General, 
~~General Post Office~~, Hyderabad.
4. One copy to Mr. E. S. Ramachandra Murthy, Advocate,
43, Law Chambers, High Court Buildings, Hyderabad.
5. One copy to Mr. N. Bhaskara Rao, Addl. CGSC. CAT. Hyd.
6. One copy to  ~~Mr. T. Raghunath Reddy~~, Advocate, 3-6-128/1/A, Hyderabad, Andhra Pradesh.
7. One spare copy.

pvm.



TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

THE HON'BLE MR.

V.C.

AND

THE HON'BLE MR. R. BALASUBRAMANIAN: M(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY:
MEMBER (JUDL)

AND

THE HON'BLE MR. C. J. ROY : MEMBER (JUDL)

Dated: 1-5-1992. ✓

~~ORDER~~ / JUDGMENT

~~R.A./C.A./M.A.No.~~

~~In~~

O.A.No. 566/89. ✓

~~T.A.No.~~

(W.P.No.)

Admitted and interim directions
issued

Disposed of with directions

Dismissed

Dismissed / as withdrawn

Dismissed for Default.

M.A. Ordered / Rejected.

No order as to costs.

pvm.

