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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.A.No.85/90.

Date of Judgement 16.11.92

P.Maheswara Rao

.. Applicant

Vs.

1. Supdt. of Post Offices,
Parvathipuram Division,
Vijayanagaram.
2. Director of Postal Services,
Visakhapatnam.
3. Sub-Divisional Inspector(Postal),
Chipurupalli, Srikakulam.
4. P.Krishna Rao .. Respondents

Counsel for the Applicant : S/Shri B.Shankar, C.V.N.Rao &
N.N.Reddy (Not present)

Counsel for the Respondents : Shri N.R.Devaraj, Sr. CGSC

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 O.A. is filed with the prayer to quash the order appointing Respondent No.4 as EDBPM Garraju Chipurupalli Village and instead appoint him to that post.

2. While the applicant was functioning as EDBPM of the said village there was a notification inviting applications to fill the post on a regular basis. The applicant and Respondent No.4 were among those who applied.

Respondent No.4 was selected. It is alleged that while he had completed Intermediate examination, Respondent No. has not completed even Secondary examination. It is also stated that when there was a selection for provisional appointment, the applicant was selected based on his performance. It is further argued that according to a circular dt. 24.10.76 of the Director-General, P&T

P & T

working E.D.Agents have to be preferred in regular appointment. Aggrieved, this O.A. is filed.

3. The official respondents oppose the O.A. and have filed a counter. It is pointed out that Respondent No.4 has also passed S.S.C. and that he also fulfills all conditions required for the appointment. Respondent No.4 was selected on the basis of higher marks.

4. Noticing that the applicant's case was not being prosecuted with interest, the O.A. was posted for dismissal.

on 6-11-92. Yet, on that day too the applicant was not represented.

Hence we heard only the learned counsel for the respondents

5. The Respondent No.4 fulfills all requirements for selection and, therefore, his selection cannot be considered illegal. We do not find any arbitrariness in the selection and hence we dismiss the O.A. with no order as to costs.



(R.Balasubramanian)
Member(A).


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

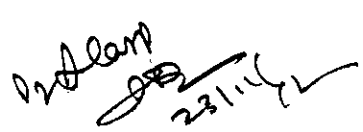
Dated: 16th November, 1992.


Deputy Registrar(J)

To

1. The Superintendent of Post Offices,
Barvathipuram Division, vijayanagaram.
2. The Director of Postal Services, visakhapatnam.
3. The Sub-Divisional Inspector(Postal), Chipurupalli, Srikakulam.
4. One copy to Mr.B.Shankar, Advocate, 16-7-717, Chaderghat,
Hyderabad.
5. One copy to Mr. N.R.Devraj, Sr.CGSC.CAT.Hyd.
6. One spare copy.

pvm.


23/11/92

TYPED BY

(2)

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

THE HON'BLE MR

AND

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

AND

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

AND

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

Dated: 16-11-1992

ORDER/JUDGMENT:

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

in

O.A.No. 85/90

T.A.No.

(wp.No)

Admitted and interim directions
issued.

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default

M.A.Ordered/Rejected

No orders as to costs.

pvm

Central Administrative Tribunal

DESPATCH

24 NOV 1992

HYDERABAD BENCH.