

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD.

* * *

O.A. 700/91

Dt. of Decision : 7.4.1994.

G.S. Srinivasulu

.. Applicant

Vs

1. Union of India, Rep. by its Secretary, Ministry of Communications, New Delhi - 1.
2. Senior Superintendent of Post Offices, Chittor Dn Chittor - 517 001.
3. Sub Divisional Inspector (Postal) Chittor South Sub Division, Chittoor - 517 001.

.. Respondents.

COUNSEL FOR THE APPLICANT : Mr. T. Jayant

COUNSEL FOR THE RESPONDENTS : Mr. N.R. Devaraj, Sr. CGSC.

CORAM:

THE HON'BLE SHRI A.B. GORTHI :: MEMBER (ADMN.)

THE HON'BLE SHRI T.CHANDRASEKHARA REDDY :: MEMBER (JUDL.)

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TSR

CEZ

DA 700/91.

Dt. of Order: 7-4-94.

(Order of the Divn. Bench passed by
Hon'ble Shri A.B.Gorthi, Member (A)).

* * *

The grievance of the applicant is against
the decision of the Sub Divisional Inspector (Posts),
Chittoor, South Sub Division dt. 24-6-91 setting aside
the ^{selection} _{selection} to the post of ED Packer, Chittoor Market,
Town Sub Office, and to initiate fresh selection for
filling up the said post.

2. During 1989-90 the applicant worked as a
substitute ED Packer whenever the regular incumbent
Sri R.Venu Gopal was away. When Sri R.Venugopal was
permanently appointed as a Postman, the applicant
was appointed to work as E.D.Packer on provisional
basis pending regular selection.

3. The vacancy was notified to the employment
exchange which in turn sponsored names of the four
candidates, including the applicant. The applicant's
contention is that after due selection he was found
suitable for being appointed as E.D.Packer and con-
sequently he was allowed to continue in that post.

He ^{was} _{however} surprised to receive communication
dt. 1-7-91 stating that the selection of E.D.Packer was
set aside on review and that a fresh selection was
going to be made. Aggrieved by the same he approached

the Tribunal with this Original Application.

.....3.

At the time of admission, ^{on} interim direction was given to the respondents to continue the applicant in the post of E.D.Packer till the disposal of the O.A.

4. The Respondents have not filed/counter. Shri N.R.Devraj, learned standing counsel however clarified that in the process of selection for filing up the post of E.D.Packer, the applicant was found suitable by the Respondent No.3 but no final/regular appointment order was issued in favour of the applicant. In the meantime the next superior authority (Respondent No.2) found that the selection was not properly done because the applicant's service during his previous spells of engagement was not found to be satisfactory. It was therefore decided to cancel the selection made and to make a fresh selection again. Except for stating that the service rendered by the applicant as a substitute was not found satisfactory, nothing has been shown to us to substantiate the said allegation. A regularly and properly made selection should not be allowed to ^{be} set aside on such ~~unsubstantiated~~ allegation made, that ^{IC} too, without knowledge of the ~~fact~~ to the individual. In these circumstances, we do not wish to give any credence to the respondents' contention/as a substitute that the applicant's service was not found to be satisfactory.

5. In view of what is stated above, we find that the application deserves to be allowed and it is accordingly allowed. The Respondents are directed to issue a final appointment order to the applicant. No order as to costs.

T. Chandrasekhar Reddy
(T. CHANDRASEKHAR REDDY)

Member (J)

A. B. Gorthi
(A. B. GORTHI)

Member (A)

Dated: 7th April, 1994.
Dictated in Open Court.

av1/

Jayant
Deputy Registrar (Judicial)

Copy to:-

1. Secretary, Ministry of Communications, Union of India, New Delhi-1.
2. Senior Superintendent of Post Offices, Chittoor Dist. Chittoor-001.
3. Sub Divisional Inspector (Postal) Chittoor South Sub Division Chittoor-001.
4. One copy to Sri. T. Jayant, advocate, CAT, Hyd.
5. One copy to Sri. N. R. Devaraj, Sr. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

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final POC Q. 25
q/p*

7.A.706(4)

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COMPARED BY

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADRI RAO
VICE CHAIRMAN
AND

THE HON'BLE MR.A.B.GORTHI : MEMBER(AD)
AND

THE HON'BLE MR.TCCHANDRASEKHAR REDDY
MEMBER(JUDL)

AND

THE HON'BLE MR.R.RANGARAJAN : M(ADMN)

Dated: *7/4/* -1994

ORDER/JUDGMENT

M.A.R.A./C.R./NO.

in
Q.A.NO. *70674*

T.A.No. _____ (w.p.)

Admitted and Interim Directions
Issued.

Allowed

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

pvm

