

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

DA.958/91

date of decision : 17-9-93

Between

K. Ramachandra Reddy : Applicant

and

1. Sub Divisional Inspector
Shadnagar
Dt. Mahaboobnagar

2. Superintendent of Post Offices
Wanaparthi Division
Wanaparthi

3. S. Venkateswar Reddy
S/o Narsi Reddy, aged about 23 years
Select-Candidate, (Branch Post Master)
Vittaipally, Amangal (S.O.) : Respondents

Counsel for the applicant : S. Ramakrishna Rao
Advocate

Counsel for the respondents 1&2 : N.R. Devaraj, Sr. SC
for Central Government

Counsel for the respondent No.3 : K.S.R. Anjaneyulu,
Advocate

CORAM

HON. MR. JUSTICE V. NEELADRI RAO, VICE CHAIRMAN

HON. MR. P.T. THIRUVENGADAM, MEMBER (ADMINISTRATION)

Judgement

(As per Hon. Mr. Justice V. Neeladri Rao, Vice Chairman)

Heard Sri S. Ramakrishna Rao, learned counsel for the
applicant and Sri N.R. Devaraj, learned counsel for the
respondents 1&2 and Sri K.S.R. Anjaneyulu, learned counsel
for Respondent No.3.

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2 The applicants and R-3 here-in and two others applied in time for the post of EDBPM, Vittaipally, Amangal Mandal, in Mahaboobnagar District. Sub-divisional Inspector, Shadnagar, made inquiries, ^{as per} ~~for~~ the rules, ~~were~~ and ~~had~~ that an inquiry was made ^{in regard to} ~~by~~ ^{submitted to by} the various particulars of the applicants and the aspects which have a bearing for consideration for selection as EDBPM. It is stated for the respondents that R-2, the Superintendent of Post Offices had considered the particulars submitted by the various applicants and also the report and selected R-3 as EDBPM, Vittai-pally. The appointment of R-3 as EDBPM, Vittai Pally is challenged in this OA.

3. It was averred for the applicant that he should have been preferred to R-3 as the applicant worked provisionally as EDBPM, Vittaipally in two different spells and the marks scored by him are more than the marks got by R-3. It is also contended for the applicant that the gift deed produced for R-3 is not valid.

4. In the counter it is stated that inter alia as the performance of the applicant as provisional EDBPM was not satisfactory, and he was not selected as EDBPM. We directed R-2 to produce relevant record in order to satisfy ourselves as to whether such material ^{was} placed before R-2 by the time he selected R-3. The said material was placed before us and we perused it. There is basis in the said report in regard to the allegation of the counter that the performance of the applicant as ED BPM provisionally was not satisfactory.

5. Admittedly, R-3 is having a house in the village, Vittaipally. The report produced before us is to the effect

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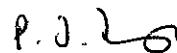


that even the applicant had not produced any certificate about his assertion that he is owning land. Anyhow, the rules do not stipulate that one should necessarily own agricultural land for being eligible for the post of EDBPM. As such there is no need to consider the contention for the applicant that the gift-deed produced by R-3 is not valid for the disposal of this OA.

6. We do not find any material to hold that the selection of R-3 is either arbitrary or that it is on any extraneous considerations.

7. In view of the material on record it cannot be stated that the applicant should have been preferred to R-3.

8. In the result, the OA is dismissed. No costs.



(P.T. THIRUVENGADAM)
Member (Admn)



(V. NEELADRI RAO)
Vice Chairman

Dated : 17-9-1993
Dictated in the Open Court



To

1. The Sub Divisional Inspector,
Shadnagar, Mahaboobnagar.
2. The Superintendent of Post Offices,
sk Wanaparthi Division, Wanaparthi Division, Wanaparthi.
3. One copy to Mr.S.Ramakrishna Rao, Advocate, CAT.Hyd.
4. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
5. One copy to Mr.K.S.R.Anjaneyulu, Advocate, CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

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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(A)

AND

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

AND

THE HON'BLE MR.P.T.TIRUVENGADAM:M(A)

Dated: 17-9-1993

ORDER/JUDGMENT:

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

in

O.A.No. 958/91

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.

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