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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

O.A. No. 38/1993.

(AS PER HON'BLE SHRI JUSTICE B.C.SAKSENA, VICE-CHAIRMAN
(ALLAHABAD BENCH)

Date: August 26, 1996.

Between:

Kandula Rambabu. Applicant.

And

1. The Secretary to the Government,
Department of Posts, New Delhi.
2. The Post Master General, Vijaya -
wada.
3. The Superintendent of Post Offices,
Machilipatnam Division,
Machilipatnam.
4. The Asst. Supdt. of Post Offices,
Avanigadda Sub Division, Avanigadda.
5. Smt. V.Dhanalakshmi, Respondents.

CORAM:

Justice
HON'BLE SHRI/B.C.SAKSENA, VICE-CHAIRMAN, ALLAHABAD BENCH
HON'BLE R.RANGARAJAN, MEMBER (A)

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O R D E R.

We have heard Mr. Subrahmanyam for Mr.K.S.R.Anjaneyulu,
Mr. Raghava Reddy, learned standing counsel for the Respondents.

2. The applicant through this O.A., challenges the appointment of Respondent No.5 as EDBPM Venkatapuram.
3. The learned counsel for the applicant mainly submitted that the applicant having been appointed provisionally to the said post could not have been rejected while

P.C.

making regular selection.

4. The respondents in their counter have indicated that in the letter making the provisional appointment, they have clearly stipulated that the posting is purely temporary appointment pending regular selection to the said post.

On ~~This is~~ the material and the averments on record, we ~~have~~ satisfied that the Authorities have duly considered all the relevant aspects provided in the rules for comparative assessment of the merits of the candidates concerned. The Respondent No.5, it has been indicated had obtained 55 per cent of marks in the Intermediate examination which is equivalent to 12th class while the applicant in the Intermediate Examination had secured 38.8% marks only. The learned counsel for the applicant submitted that the minimum qualification is H.Sc., and therefore the comparison of the applicant with that of Respondent No.5 in respect of their marks obtained by them in the Intermediate Examination is an irrelevant consideration. We are not impressed with this argument. The learned counsel for the Respondents stated that the 5th Respondent did not appear at H.S., but straight away appeared for Intermediate Examination. Thus the examination which Respondent No.5 has taken, has been compared with with the examination taken by the applicant as equivalent examination. The other criteria have also been compared and Respondent No.5 was found to be a suitable candidate.

B.R.

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net
This Tribunal is a Selection Agency. When there are no
allegations of mala fides the assessment of relative
merits of the candidates as made by the Authorities
does not call for any interference. The O.A.,
is liable to be dismissed.

The O.A., is accordingly dismissed. No costs.

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M.RANGARAJAN

Member(A)

B.C.Sakse

B.C.SAKSENA, J

Vice-Chairman
Allahabad Bench.

Date: August 26, 1996.

pronounced in open Court.

Ansba 26/8/96
D.R.(S)

sss.

27/8/96
O.A. 38/93
Typed By
Compared by

Checked By:
Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

The Hon'ble Shri B.C. Saksena : V.C.
The Hon'ble Shri R. Rangarajan : M.A.

DATED: 26/8/96

ORDER/JUDGEMENT
R.A/C.P./M.A. NO.

in
O.A. NO. 38/93

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS
DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLR

II COURT

केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal
प्रेषण/DESPATCH

5-9 SEP 1996

हैदराबाद न्यायपीठ
HYDERABAD BENCH