

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH

AT HYDERABAD.

M.A.No: 920 of 1994.

in

O.A.No: 918 of 1994.

Between:

S.V. Narasimham son of Venkata  
Surya Narayana Murthy, aged about  
34 years, Resident of Salantri,  
Srikakulam District.

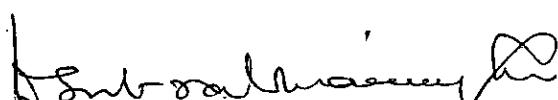
.. Applicant  
Proposed Respondent  
No: 4

and

1. S.V. Ramana Murthy son of S.V.  
Janaki Ramaiah, aged 32 years,  
ED BPM Salantri, Srikakulam District .. Respondent/  
Applicant.
2. The Senior Superintendent of Post  
Offices, Srikakulam Division,  
Srikakulam. .. Respondent No: 1
3. The Chief Post Master General  
(Repg. Union of India) .. Respondent No: 2
4. The Assistant Superintendent of  
Post Offices, Amudala Valasa Sub  
Division, Amudalavalasa 532 185 .. Respondent No: 3

APPLICATION FILED UNDER RULE 8(3) OF THE CENTRAL ADMINISTRATIVE  
PROCEDURE RULES 1987 TO IMPLEAD THE APPLICANT AS RESPONDENT No: 4

In view of the facts and circumstances disclosed in the  
enclosed affidavit the applicant humbly prays that this  
Tribunal be pleased to implead the applicant herein as  
Respondent No: 4 in the Main O.A. for proper and effective  
adjudication in the matter and pass any other order or orders  
as deem fit and proper in the circumstances of the case.



COUNSEL FOR THE APPLICANT.

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Between:

S.V. Narasimham son of Venkata  
Surya Narayana Murthy, aged about  
34 years, Resident of Salantri,  
Srikakulam District.

.. Applicant/  
Proposed R-4.

and

S.V. Ramana Murthy son of Sri  
S.V. Janakiramaiah, aged 32 years,  
DBPM Salantri, Srikakulam District  
and 3 others.

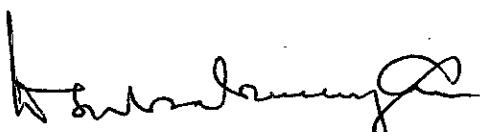
.. Respondents/  
Applicants 1 to 3  
in O.A.

A F F I D A V I T

I, S.V. Narasimham son of Venkata Suryanarayana  
Murthy, aged 34 years, Resident of Salantri, Srikakulam  
District do hereby solemnly affirm and state as follows.

I am the applicant herein and I am well acquainted  
with the facts of the case.

I am permanent resident of Salantri village. I  
have applied for BPM Post along with others in response to  
Notification. I have fulfilled all the conditions for  
appointment as BPM even on merit. I ~~ranked~~ secured 266  
marks in S.S.C. highest among all the candidates. I have  
also produced solvency and income certificate and also  
possess a house centrally situated for locating a Post Office.  
I was regularly selected and appointed as BPM on 1.8.1992.  
My services were terminated on 12.1.1993 posting one Sri  
S.V. Ramana Murthy who secured less marks and also did not  
possess the other requisite qualifications/conditions.

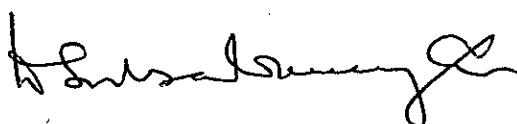


S.V. Narasimham  
..2

I submitted a representation to the Senior Superintendent of Post Offices, Srikakulam and also Post Master General, Visakhapatnam, the competent authorities, regarding my termination with a request to reinstate in the post on 12.2.1993, giving full details of my qualifications, compared with that of Ramaha Murthy, who was appointed in my place. I pursued the case with the authorities. It came to light that the said Ramana Murthy has obtained certificates from the Revenue authorities by fraud and misrepresentation. The R.D.O. Srikakulam vide his proceedings in R.C. No: 1215/94/C dated 26.2.1994 addressed to the Post Master General, Visakhapatnam that Sri S.V. Ramana Murthy has produced false evidence, and produced a bogus income certificate. He concluded and held that Sri S.V. Ramana Murthy secured the of B.P.M. by misrepresentation and fraud (Annexure 1). Based on the said report of the R.D.O., action was taken against Sri S.V. Ramana Murthy following the procedure. The appointment of said Sri S.V. Ramana Murthy was terminated on 21.7.1994. I was asked to take over charge as BPM on 27.7.1994 as per B-E-D-498 dated 21.7.1994.

While so S.V. Ramana Murthy filed O.A. No: 918 of 1994 against his termination orders and obtained interim suspension orders on 29.7.1994. The charge of B.P.M. was again taken over from me on 1.9.1994 (Annexure 2). I have not been impleaded as respondent in the said O.A.

I submit that my interest i.e. selection and appointment on merit has been adversely affected. I also submit that his appointment obtained by fraud and misrepresentation, will vitiate everything. "Frans Omnia



S.V. Narasimham

:3:

Corrumpit". I also state that I am necessary party as I am having merit over him in all respects. I therefore pray that this Honourable Tribunal be pleased to implead me as respondent No: 4 for proper and effective adjudication in and direct the superintendent of Post Offices, Srikakulam and the Post Master General, Visakhapatnam to produce the records relating to the case and to appoint me as B.P.M.

S. V. Nakashwami  
APPLICANT.

Sworn and signed before me on  
this day

V. S. Sastri  
Advocate.  
(V. S. Sastri)