

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.1438/94

DATE OF ORDER : 01-10-1997.

Between :-

Mohd.Abubaker

... Petitioner/Applicant

And

1. The Director of Postal Services,
Hyderabad Region, Hyderabad.
2. Superintendent of Post Offices,
Suryapet Division, Suryapet-508213.
3. Sub Divisional Inspector of Post
Offices, Suryapet.
4. P.Daniel



... Respondents

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Counsel for the Applicant : Shri K.K.Chakravarthy

Counsel for the Respondents : Shri K.Bhaeker Rao, CGSC

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CORAM:

THE HON'BLE SHRI R.RANGARAJAN : MEMBER - (A) ---

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER - (J)

(Order per Hon'ble Shri Hon'ble Shri R.Rangarajan,
Member (A)).

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... 2.

Jax

[Signature]

for consideration to the post of BPM.

6. In view of the fact that the Respondent No.4 possess^{ed} landed property, the contention of the applicant has to fail. In that view, the application is liable only to be dismissed. Accordingly it is dismissed. No costs.

CERTIFIED TO BE TRUE COPY

[Signature]

न्यायालय अधिकारी
COURT OFFICER
केन्द्रा प्रशासनिक न्यायालय
Central Administrative Tribunal
हैदराबाद बेंच
HYDERABAD BENCH

0.A/438/4
1.10/97
15/10/97

4. Heard Sri Kota Bhaskar Rao, standing counsel for the respondents. Sri N.V. Subbarayudu, Postal Asst. in the Office of Post Master General, Hyderabad Division produced the necessary land documents of Respondent No.4. We find from that documents that the land was registered in the name of one Mr. Danayya on 13-8-90. The name Danayya and Daniel are one and the same as ^{confirmed} ~~has been informed~~ by the Superintendent of Post Offices, Suryapet Division (the above documents are perused and returned back to the respondents.)

5. The learned counsel for the applicant submits that Danayya and Mr. Daniel are not the same person. But when it ^{was} ~~has~~ brought to his notice that the Superintendent of Post Offices had checked up the possession and informed that both are one and the same person, the learned counsel for the applicant submitted that he has nothing further to add. The learned counsel for the applicant also submitted that the MRO ~~has~~ given a certificate to the effect that the Respondent No.4 ^{was} ~~is~~ possessing four acres, whereas Respondent No.4 is possessing only two acres of land. Hence there is a variation between the certificate given by the MRO and the actual ^{extent} ~~possession~~ of ^{possessed} ~~the~~ land by Respondent No.4. The ED Service rules only states that property should be ~~be~~ possessed by the selected candidate. It does not quantify the ~~extent of~~ property to be possessed. Hence, whether it is four acres or two acres of land is immaterial. What is material is whether Respondent No.4 had possessed landed property or not. It is evident from the above documents that Respondent no.4 did possess the landed property that ^{made} ~~makes~~ him eligible