

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

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O.A.No.460/94.
- - - - -

Date: 16--6--1997.

Between:

S.Padmavathamma. .. Applicant.

and

1. The Superintendent of Post Offices,
Tirupathi Division, Tirupathi, Chittoor
District.

2. Sri P.Lakshmi Narayana Raju. Respondents.

Counsel for the applicant: Mr. M.Ravivarma.

Counsel for the respondents: Sri N.V.Raghava Reddy,

Coram:

Hon'ble Sri R.Rangarajan, Member (A)

HON'BLE Sri B.S.Jai Parameshwar, Member (J)

JUDGMENT.

(per Hon'ble Shri R. Rangarajan, Member (A).
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None for the applicant. Sri N.V.Raghava Reddy
for the respondents.

This O.A., is filed in 1994. The same is
being disposed of under Rule 15(1) of the Central Ad-
ministrative Tribunal
ministrative/Procedure Rules, 1997.

Upon a Notification ~~was~~ issued by Memo No.B3/215
dated 29-9-1993 (Annexure A-2 to the O.A.) calling ~~upon~~
applications to fill up the post of EDBPM at T.R.Kandriga
E.D.Branch Post Office under Vadamalpet Sub Post Office,

15 applications were received for that post;

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out of which two were received after the last date for receipt of applications. There ~~were~~ therefore effectively 13 applications ~~were~~ received in time and they were all considered. The 2nd respondent was selected on the basis of the selection by the impugned Order No.B3/215 dated 16--3--1994 (Annexure A-1 to the O.A.).

This O.A., is filed for setting aside the impugned selection of the 2nd respondent by Memo No. dated 16--3--1994 and for a consequential direction to the 1st respondent to appoint the applicant as EDBPM of T.R.Kandriga Branch Post Office.

The main contention of the applicant is that she is a woman candidate and she has to be preferred. She also contends that she has secured more marks than the selected candidate and she has also got more property and income compared to the selected candidate. Hence the applicant submits that she is a more meritorious candidate and fit for posting as EDBPM. Hence her non-selection to the said post is erroneous and irregular.

We have perused the reply. The respondents denied all the contentions made by the applicant in the O.A. They submit that both the applicant and the 2nd respondent were equally placed in respect of the property, income and

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other conditions. When both are equally placed, then the meritorious candidate who had secured more marks in the educational qualification has to be selected. The minimum Educational qualification prescribed for the post is 10th Class/SSC/SSLC. The percentage of marks secured by the 2nd respondent in the examination is higher than the percentage of marks obtained by the applicant. Hence the 2nd respondent was preferred being meritorious candidate and posted as EDBPM of that post office.

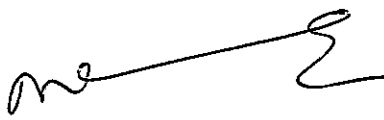
We have called for the selection proceedings and perused the same (selection proceedings were returned back after our perusal). As can be seen from the selection Proceedings, the applicant and the 2nd respondent are equally placed in respect of income, property ^{and} accommodation to be provided. The applicant has secured 304 marks in all subjects ~~and~~ out of the total of 600 ^{and} 32 marks in Hindi. Respondent 2 had secured 287 marks in all subjects out of 500 and 33 marks in Hindi. The percentage of marks obtained by the applicant is 48% including Hindi marks, whereas the percentage of marks obtained by the 2nd respondent is 53.30% including Hindi. Even ignoring Hindi marks, the percentage ^{ge} of marks obtained by the applicant is less than that of the 2nd respondent. When everything ~~is~~ being

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equal the candidate to be selected is the meritorious one to be decided on the basis of the marks obtained by the candidates. Though the applicant submits that she has secured more marks than the 2nd respondent, the per-centage of marks as stated above clearly indicates that the applicant secured less percentage of marks compared to the 2nd respondent. Hence, there is no doubt that the 2nd respondent is more meritorious candidate than the applicant.

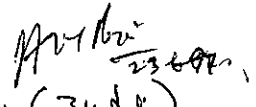
In view of the above ~~findings~~ we find that there ~~is~~ ^{are} no irregularities in the selection of the 2nd respondent as EDBPM of T.R.Kandriga BPO. In that view, the O.A., has to be dismissed as having no merits and accordingly the O.A., is dismissed. No costs.


E.S. JAI PARAMESHWAR
MEMBER (J)


R. RANGARAJAN,
MEMBER (A)

Dictated in open Court

Date: 16--6--1997.


D.R. (344)

SSS.

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8/7/97

[Handwritten signature]

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FILED BY
COVERED BY

CHECKED BY
APPROVED BY

IN A.E. EMPLOYEES ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

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

DATED: 15/7/97

ORDER/JUDGEMENT

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

C.A. NO.

in
46094

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions,

Dismissed

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLKR

II Court.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
भेषण/DESPATCH
- 4 JUL 1997
हैदराबाद बेंच
HYDERABAD BENCH