IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD BE

<u>O.A. 573/94.</u>   <u>Dt. of Decision : 12-9-94.</u>

Annu Ramu   .. Applicant.

                Vs

1. Postmaster General,
   Visakhapatnam - 3.

2. Supdt. of Post Offices,
   Parvathipuram ,
   Vijayanagaram Dist.

3. Sub Divisional Inspector(Postal)
   Palakonda, PIN = 440.

4. Varada Srinivasa Rao   .. Respondents.

Counsel for the Applicant   : Mr. K.K. Chakravarthy

Counsel for the Respondents : Mr. V. Bhimanna, Addl.CGS^C.

<u>CORAM</u>:

THE HON'BLE SHRI A.V. HARIDASAN : MEMBER (JUDL.)

THE HON'BLE SHRI A.B. GORTHI : MEMBER (ADMN.)
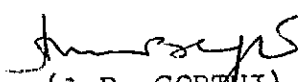

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O.A.573/94   Dt. of order:12th Sep.,1994

ORDER

(As per Hon'ble Shri AV Haridasan, Member(J))

The applicant, who was a candidate for
selection to the post of EDDA/MC for Hussainepuram
Postoffice, is aggrieved by the fact that the 4th
respondent has been selected and appointed in
the post of EDDA/MC, at Hussainepuram Post office.
The applicant was working on the said post on provisioal
basis from 14.09. 1992. The department initiated
action for filling up the vacancy on regular basis
by notifying the vacancy on 26.11.93 and after a due
selection process, the 4th respondent was selected
and appointed. The applicant's case is, that his
superior merits have beenoverlooked arbitrarily and
in violation ofArticle 14 and a6 of the Constitution
and therefore, he prays that the appointment order
of the 4th respondent may be quashed and the respon-
dents be directed to appoint him in thesaid post.

2.   On behalf of the respondents 1-3, a reply stat-
ment has been filed, in which it has been contended
that, as theEmployement Exchange, in spite of notifi-
cation, did not sponsor candidates, a local notifica-
tion was issued pursuant to which, 8 candidates
appliedthat the selection was made on the basis of
an assessment of merits and the 4th respondent who
had secured higher marks in the SSC examination, being
                    the
found/mostsuitable candidate, was selected and
appointed. The respondents refute the allegations of
arbitrariness and prays that the application may be
dismissed.

3.   We have perused the records and heard the counsel for both the parties. We have also seen the file relating to the Selection. The selected candidate viz., the 4th respondent has secured 238 marks in the SSC examination/while the applicant has obtained 232 marks. It is true that the applicant had about two months experience on the date on which the notification was issued, and about five or six months experience on the date selection was made. But the competent authority who made the selection has assessed the inter-se merits of the candidates who had applied for the post and has selected the 4th respondent, (R-A), He, having been found to be best among the lot having obtained higher marks in the SSC examination, we do not find any reason to interfere with the selection. Interference in the matter of selection for appointment is made only in case where there is irregularity or arbitrariness is apparent. We find none in this case. Hence, we find no merits in this OA and the OA is dismissed leaving the parties to bear their own costs.

(A.B. GORTHI)   (A.V. HARIDASAN)
Member(A)   Member(J)

Dated:The 12th September,1994

Dictated in the Open Court

mvl

DEPUTY REGISTRAR(J)

Copy to:
1. Postmaster General, Visakhapatnam - 3.
2. Superintendent of Post Offices, Parvathipuram, Vijayanagaram District.
3. Sub Divisional Inspector(Postal), Palakonda - 440.
4. One copy to Mr.K.K.Chakravarthy, Advocate,CAT,Hydera
5. One copy to Mr. V.Bhimanna,Addl.CGSC,CAT,Hyderabad.
6. One copy to Library,CAT,Hyderabad.
7. One spare copy.

YLKR

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR.A.V.HARIDASAN : MEMBER(J)

AND

THE HON'BLE MR.A.B.GORTHI : MEMBER(A)

Dated: __12 · 9 · 94__

ORDER/JUDGMENT.

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

                         in
O.A.No. 573/94
T.A.NO.   (W.P.NO.   )

Admitted and Interim Directions
Issued.

Allowed.

Disposed of with Directions.
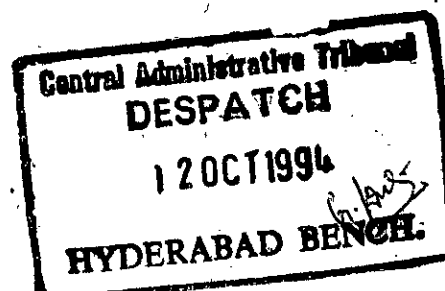
Dismissed. ┗━━━

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

YLKR