

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A.No.574/94

Date of Order: 1.5.97

BETWEEN:

G.Bhaskara Rao

.. Applicant.

AND

1. Post Master General, Visakhapatnam-3.
2. Supdt. of Post Offices, Farvathipuram  
Vijayanagaram Dist.
3. Sub Divisional Inspector (Postal),  
Palakonda, Pin-532 440.
4. Nidaganti Srinivasu.

.. Respondents.

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Counsel for the Applicant

.. Mr.K.K.Chakravarthi

Counsel for the Respondents

.. Mr.V.Bhimanna.

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CORAM:

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

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J U D G E M E N T

X Oral order as per Hon'ble Shri B.S. JAI PARAMESHWAR ; M(J) X

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Heard Mr.K.K.Chakravarthi, learned counsel for the applicant and Mr.V.Bhimanna, learned standing counsel for the respondents. Notice has been <sup>served on</sup> ~~issued to~~ R-4. R-4 called absent.

2. The applicant has filed this OA to call for the records of the selection made by R-3, <sup>to</sup> ~~and~~ set aside the appointment order issued in favour of R-4 <sup>and</sup> to give a direction to the 3rd respondent to appointment him as EDDA cum Mail Carrier in his place.

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3. The case of the applicant is that he worked as EDDA Mail Carrier Regulapadu B.O. under Veeraghattam Sub Office. He joined on 10.9.93 and continuously worked till 9.5.94. In response to the notification he applied for the said post. It is stated that the R-3 has not followed the procedure in selecting R-4. Hence he has filed this OA.

4. A counter has been filed stating that the applicant had been joined as EDDA/Mail Carrier on provisional basis w.e.f. 14.9.93. On 22.10.93 the employment exchange, Srikakulam was requested to sponsor the names for filling up the said post on regular basis. The employment exchange failed to sponsor any candidates. Hence a notification was issued in the village on 30.10.93 that in response to the said notification eight applications were received including from the applicant and the R-4. After making full verification and particulars furnished by the candidates, R-3 finalised the selection and selected R-4 who had secured more marks in the SSC than the applicant and that he belonged to SC community that there was no irregularity in appointing R-4 and that the OA be dismissed.

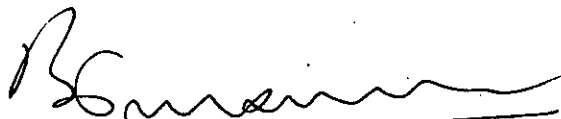
5. There are 2 contentions in this OA. The main contention is that the applicant had secured more marks than R-4. The respondents submitted that R-4 had secured more marks than the applicant and everything being equal the meritorious candidate being selected. There is no doubt in regard to the marks obtained by the applicant and R-4. By calling for selection proceedings no useful purpose will be served. Some allegations have been <sup>hurled</sup> ~~made~~ at one of the <sup>respondents</sup> ~~applicants~~. We find that these allegations are unsubstantiated. If there is an allegation against a particular respondent that particular respondent should have been impleaded by name. There is no impleadment

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in application against whom the applicant is making allegation.  
Hence this allegation also <sup>cannot be</sup> upheld.

6. We see no merits in the OA. Hence the OA is dismissed. No costs.

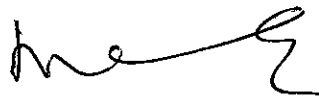


( B.S. JAI PARAMESHWAR )  
Member (Judl.)

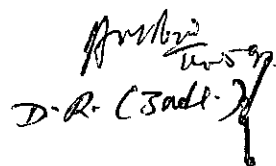
1.5.97

Dated: 1st May, 1997

(Dictated in Open Court )



( R. RANGARAJAN )  
Member (Admn.)

  
D.R. (Judl.)

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12/6/97

T COURT

I.

TYPED BY

CHECKED BY

COMPOSED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

*D. Mangarajan AM*  
THE HON'BLE MR. ~~JUSTICE~~  
VICE-CHAIRMAN

and  
*B.S. Jai prakash J.m*  
THE HON'BLE MR. H. RAJENDRA PRASAD M(A)

Dated: 11/5-1997

ORDER/JUDGMENT

~~M.A./R.A./G.A.No.~~

in

G.A.No.

574/94

~~T.A.No.~~

(w.p.)

Admitted and Interim directions  
Issued.

Allowed

Disposed of with directions

Dismissed.

Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected.

No order as to costs.

pvm.

