

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL RECORDATION

DATE OF ORDER : 06-03-1997.

Between :-

Bollineni Prameela

... Applicant

And


1. Post Master General, Nellore.
2. Superintendent of Post Offices,
Tirupati Division, Tirupati.
3. Sub-Divisional Inspector, Postal,
West Sub Division, Tirupathi.
4. Smt.K.Niraja

... Respondents

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Counsel for the Applicant : Shri K.K.Chakravarthy

Counsel for the Respondents : Shri V. Rajiswar Rao, *for M.V. Ramana*
for A. C. R.

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CORAM:

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

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

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...2.



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

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Heard Shri K.K.Chakravarthy, learned counsel for the applicant and Shri V.Rajeshwar Rao, learned standing counsel for Respondents.

2. The applicant in this O.A. was appointed as EDBPM, Sangampally Branch Office on provisional basis with effect from 30-11-93. ~~Incumbent~~ due to death of regular incumbent on 30-11-93. The concerned Employment Exchange was notified to sponsor the candidate by letter dt.30.11.93/2-12-93 *for regular selection* and the last date of receipt of names ~~was~~ from Employment Exchange was fixed as 31-12-93.

3. The Employment Exchange failed to sponsor ~~the~~ candidates. Hence open notification was issued on 9-3-94 fixing the last date of receipt of applications as 12-4-94. In response to that open notification five applications were received. The applicant, *R-4* and 3 other candidates were among those five applicants to the post of EDBPM. Amongst those responded to the notification, respondent No.4 was selected.

4. This OA is filed challenging the selection of Respondent No.4 as regular EDBPM, Sangampally Branch Office and for a consequential direction to post the applicant ~~vice~~ Respondent No.4. When the OA was taken up for hearing, it was suggested by the learned counsel for the applicant that the record pertaining to the selection may be called for and on that basis the OA may be decided. Accordingly the records were produced today, which

were perused and returned back.

5. From the remarks column, after verification of the documents it is stated that Respondent No.4 has fulfilled all the conditions. It is also seen that she had obtained 330 marks out of 500 in SSC. The marks list^{was} also verified as per the remarks in Column.6 of the proceedings. The applicant also fulfilled all the conditions as laid down in regard to the certificates etc., as can be seen from the remarks column. She had obtained 230 marks out of 500 in SSC. The contention of the applicant in this case is that the relevant and necessary certificates and records have not been properly verified while selecting the respondent No.4, but from the proceedings we find that the records have been verified properly and both the applicant and Respondent No.4 fulfilled qualifications as regards possession of certificates. When 2 candidates are equally qualified, the preference shall be given to the candidates who obtained higher marks in SSC. As the Respondent No.4 secured more marks in SSC, it had to be held that the Respondent No.4 is a meritorious candidate. When everything being equal, selection of meritorious candidate cannot be challenged.

6. In view of what is stated above, I am satisfied that the selection has been done fairly and the meritorious candidate having all the necessary certificates had been selected. The applicant under the circumstances cannot have any grievance if she has not been selected.

....4.

..b..

O.A.NO.691/94

Copy to:

O.A.NO.619/94

1. Postmaster General, Kurnool.
2. Superintendent of Post Offices, Tirupathi Division, Tirupathi.
3. Sub Divisional Inspector, Postal, West Sub Division, Tirupathi.
4. One copy to Mr.K.K-Chagrawarthy, Advocate,CAT,Hyderabad.
5. One copy to Mr.N.V.Ramana, Addl.CGSC,CAT,Hyderabad.
6. One copy to Mr.(A). CAT,Hyderabad.
7. One duplicate copy.

YLKR

9/11/97
FILED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 6/3/97

ORDER/JUDGEMENT

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

G.A.No. 691/94 in

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED
DISPOSED OF WITH DIRECTIONS
DISMISSED ✓
DISMISSED AS WITHDRAWN
ORDERED/REJECTED
NO ORDER AS TO COSTS.

II COURT

YLKR

