

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.704/94

Date of Order: 27.3.97

BETWEEN :

M.Venkatasubbaiah

.. Applicant.

AND

Union of India rep. by :

1. Director of Postal Services,  
O/o P.M.G., A.P.Southern Region,  
Kurnool.

2. Superintendent of Post Offices,  
Guddapah Division,  
Cuddapah.

.. Respondents.

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Counsel for the Applicant

.. Mr.D.Subrahmanyam

Counsel for the Respondents

.. Mr.K.Bhaskara Rao

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

( Oral order as per Hon'ble Shri R.kangarajan, Member (Admn.) )

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None for either side. The Superintendent of Post Offices Cuddapah invited applications on 2.9.93 for filling up the post of B.P.M., S.V.University, P.G.Centre, Cuddapah and in response to the said notification seven applications were received. On scrutiny of the seven applications the Superintendent of Post Offices, Cuddapah was selected <sup>the applicant</sup> (SC candidate) and was accordingly appointed on provisional basis w.e.f. 22.12.93 *pending final posting*.

2. After his appointment certain complaints were received against ~~his~~ selection and on that basis the Director of Postal Services reviewed the selection and noting some irregularities has issued the impugned order No. ST III/22-CDP/SVU, dt. 13.6.94 (A-1)

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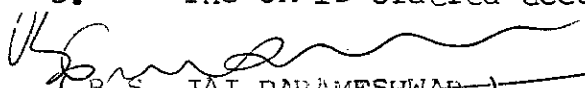
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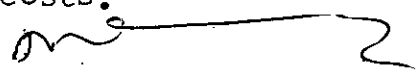
setting aside the selection of the applicant. Hence the applicant has filed this OA praying to call for the records relating to A-1, to set aside the same and to pass such other orders.

3. The appointing authority for the B.P.M., S.V.University is the Superintendent of Post Offices (R-2 herein). Any authority higher than the appointing authority has no power to review the selection made by the authority. If any of the candidates who appeared for the selection in response to the notification is aggrieved by the selection their remedy lies in approaching the appropriate judicial forum. The above principle has been laid down by the Full Bench in OA.57/91 (Ambujakshi V. Union of India).

4. In view of the decision of the Full Bench, we feel that R-1 has ~~not an~~ authority to set aside the selection proceedings and also the notification in pursuance of which the selection was made. Hence the OA is allowed and the impugned order (A-1) is set aside. The respondents are directed to <sup>post</sup> finalise the ~~selected~~ <sup>candidate</sup> selection from amongst the candidates who have responded for that post in pursuance of the notification dt. 2.4.93 expeditiously.

5. The OA is ordered accordingly. No costs.

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

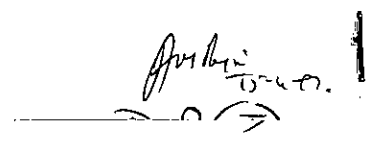
  
( R.RANGARAJAN )  
Member (Admn.)

27357

Dated : 27th March, 1997

( Dictated in Open Court )

sd



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23/4/97  
TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

THE HON'BLE JUDGE

AND

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

DATED: 27/3/97

ORDER/JUDGEMENT

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

in

O.A.No. 704/94

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

YLKR

II COURT

