

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A. NO.1239 OF 1995

Between:

D.Venkatesulu

Applicant

And

Union of India
Represented by
Secretary ~~mf~~
Ministry of Communications
Department of Posts
New Delhi and others

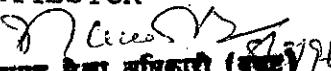
... Respondents

REPLY AFFIDAVIT FILED ON BEHALF OF THE RESPONDENTS

I, H.Seshagiri Rao, son of H.Narasimha Murthy aged 54 years, Resident of Hyderabad do hereby solemnly affirm and sincerely state as follows:

1. I am working as Assistant Postmaster-General (S&V) in the office of the Chief Postmaster-General, Hyderabad-1 and as such I am well acquainted with the facts of the case. I am filing this reply affidavit on behalf of Respondents and I am authorised to file the same.
2. In reply to para vi(i) it is a fact that the applicant has applied for the post of BPM, Gollaladoddi in pursuance of notification dated 31-5-1995. The property certificate submitted by him was not impressed with the designation stamp of the authority which issued the certificate. It is not known as to who issued the certificate. It is a fact that he has appeared before the ASP, Guntakal on the date of verification.
3. In reply to para VI(iii) it is a baseless allegation and the ASP, Guntakal Sub-Division denied the allegations.

ATTESTOR


सहायक खेत्री अधिकारी (बजेट)
Assistant Accounts Officer (Budget)
मुख्य पोस्टमास्टर अन्तर्राज का कार्यालय
Office of the Chief Postmaster General,
आ.प. वरियंटल, हैदराबाद-500 001.
A.P. CIRCLE, HYDERABAD-500 001.


DEPONENT
Asst. Postmaster General (S. & V.)
O/o. Chief Postmaster General,
A.P. Circle, Hyderabad-500 001.

4. In reply to para VI(iv) of OA it is a fact that Sri D.Narayana Rao, father of the applicant worked as BPM Gollaladoddi and was discharged on attaining the age of 65 years. Further Sri D.Satyanarayana Rao was appointed as BPM. He had resigned for the post of BPM which is yet to be accepted. Sri D.Nagaraju is working on the responsibility of Sri D.Satyanarayana Rao. As a part of selection of a candidate for regular appointment applications were called for. The applicant's property certificate was not impressed with the designation stamp of the authority which issued the certificate. He has secured less marks than R-5 and his argument that he is the only best qualified candidate is devoid of truth. Apart from this, the property certificate produced by him was not in order. As no candidate is having landed property/independent livelihood, the vacancy was renotified. The renotification gave opportunity to the applicant also to obtain a property certificate from a competent authority. It was not at all intended to give opportunity to R-5 alone. Therefore the issue of renotification is in no way helpful to a particular candidate as alleged by the applicant. The renotification was issued to disseminate the competition among the candidates with more suitability.

5. In reply to para XVII (1 to iii) of OA, it is submitted that the renotification was necessitated as none of the candidates has adequate independent livelihood and therefore there is no violation of any rule at all. The reasons for renotification need not be given to the applicant. He has got every liberty to apply for the post in pursuance of renotification. The selection could not be done among the appli-

ATTESTOR

एहायक सेवा अधिकारी (एडजे)
Assistant Accounts Officer (Budget)
मध्य पोस्टमास्टर अन्नल का कार्यालय
Office of the Chief Postmaster General,
आ० प. परिषठ्ठ, हैदराबाद-500 001.
A.P. CIRCLE, HYDERABAD-500 001.

DEPONENT
Asst. Postmaster General (S. & V.)
O/o. Chief Postmaster General,
A.P. Circle, Hyderabad-500 001.

W/Rao

cations received in pursuance of notification dated 31-5-95 (not 31-8-95 as mentioned by the applicant in the OA) as none of the candidates fulfilled the cardinal condition of adequate means of livelihood. Therefore it was necessitated to issue renotification.

In view of the above submissions there are no merits in the OA. The Hon'ble Tribunal may be pleased to dismiss the OA and pass such other order or orders which are deemed fit and just in the circumstances of the case.

W.S.Rao

7 DEPONENT

Asst. Postmaster General (S. & V.)
O/o. Chief Postmaster General,
A.P. Circle, Hyderabad-500 001.

Solemnly sworn and signed
his name on this 8/5 day of
March, 1996 before me.

ATTESTOR

D. C. V.
कर्तव्य विभागी (बजट)
Assistant Accounts Officer (Budget)
मुख्य पोस्टमास्टर जनरल का कार्यालय
Office of the Chief Postmaster General,
आ० प. परिमंडल, हैदराबाद-500 001.
A.P. CIRCLE, HYDERABAD-500 001.

BEFORE ME

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

O.A. NO. 1239 OF 1995

Between:

D. Venkatesulu .. Applicant

And

Union of India
Rep. by Secretary
Ministry of Communi-
cations, Dept. of Posts
New Delhi and
others .. Respondents



Filed on: 4/4/96

Filed by:

N V Ramana
ACGee

RECEIVED
4 APR 1996
170
Central Adminis
Hyderabad Bench