

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDRABAD

ORIGINAL APPLICATION NO.519 of 1997

DATE OF ORDER: 29th DECEMBER, 1998

BETWEEN:

Md.MUNEERUDDIN .. APPLICANT

AND

1. The Senior Superintendent of Post Offices,
Hyderabad South East Division,
Hyderabad-500 027,
2. The Assistant Superintendent of Post Offices,
Hyderabad East Sub-Division,
Hyderabad 500 012,
3. Shri A.Kalyan Raj Goud. .. RESPONDENTS

COUNSEL FOR THE APPLICANT: Mr.P.RATHAIAH

COUNSEL FOR THE RESPONDENTS: Mr.B.Narasimha Sarma, Sr.CGSC

CORAM:

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

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

JUDGMENT

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.))

Heard Mr.David Raju for Mr.Rathaiah, learned counsel for the applicant and Mr.Jacob for Mr.Narasimha Sarma, learned standing counsel for the respondents. Notice was served on R-3. R-3 called absent.


2. The applicant in this OA was initially appointed as provisional EDBPM, Mallapur on superannuation of the regular EDBPM of that Post Office with effect from 1.7.95. A notification was issued for fillig up that post

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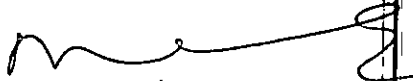
regularly. R-3 was selected. This OA is filed for setting aside the appointment of R-3 by Memo No.B.III/BPM/Mallapur dated 30.7.96 (Annexure A-9 at page 21 to the OA) by holding the same as illegal, arbitrary and for consequential direction to appoint the applicant in that post.

3. A comparative statement in respect of both the applicant and R-3 is furnished at page 6 to the reply. It is stated that the applicant had not attached the income certificate and also only a notary gift deed had been attached with the property certificate whereas R-3 fulfilled all the conditions. Hence R-3 was selected. Even presuming that both the applicant and R-3 fulfilled all the conditions, only meritorious has to be appointed. R-3 has got 323 marks in SSC whereas the applicant has got only 258 marks in SSC. Hence even presuming that both are equally placed, R-3 is meritorious compared to the applicant. Hence R-3 has been selected as EDBPM of that Post Office.

5. In view of the above, we find no merit in this OA. Hence the OA is dismissed. No order as to costs.



(B.S. JAI PARAMESHWAR)
MEMBER (JUDI)

29.12.98


(R. RANGARAJAN)
MEMBER (ADMN.)

DATED: 29th December, 1998
Dictated in the open court.

vsn


31-12-98

OA No. 519/97

II COURT

7/1/99

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 29-12-98

ORDER/JUDGMENT

~~MA/R.A./C.P. No.~~

OA No. 519/97

~~CA No.~~

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

SRR

7 copies

केन्द्रीय प्रशासनिक खण्ड
Central Administrative Tribunal
प्रेषण / DESPATCH
- 6 JAN 1999
HYDERABAD BENCH

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1) D.R (A)

2) spare copy