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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.763/97

Date of Order: 24.7.97

BETWEEN :

K.Venkateswaramma

.. Applicant.

AND

1. Sr. Superintendent of Post Offices,
Bhimavaram Division.
2. Post Master General,
Vijayawada Region, Vijayawada.
3. Smt. K.Krishna Kumari, BPM,
Artamuru.

.. Respondents.

- - -

Counsel for the Applicant

.. Mr.S.Ramakrishna Rao

Counsel for the Respondents

.. Mr.V.Bhimanna

- - -

CORAM:

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

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

- - -

J U D G E M E N T

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

- - -

Heard Mr.S.Ramakrishna Rao, learned counsel for the applicant and Mr.V.Bhimanna, learned standing counsel for the respondents.

2. The applicant applied for the post of EDBPM, Artamuru village, Bhimavaram Postal Division in response to the open notification dt. 27.5.96. R-3 is also one of the applicants for that post. R-3 was selected.

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3. This OA is filed assailing the selection of R-3 and to set aside that order and for a consequential direction to appoint the applicant vide R-3.

4. The learned counsel for the applicant now submits that both the applicant and R-3 are equally placed. When they are equally placed then the meritorious candidate has to be selected. The merit is decided on the basis of the marks obtained in the S.S.C. examination. The applicant having obtained more marks than R-3 ~~then~~ he should have been selected instead of R-3.

5. We have called for the selection proceedings today. The selection proceedings were perused and returned back. The learned counsel for the respondents submit that she had not filed the income certificate as required in the notification along with her application. The file was shown to the learned counsel for the applicant ^{and} he also confirmed that no income certificate was enclosed to the application. The applicant's counsel submits that the land was given to her as gift and hence there ^{was} ~~is~~ no need to produce any property certificate as mutation certificate will be confirmed later. But it is necessary to produce the income certificate from ^{for substantiate her income from the} the MRO ~~as having been received by her for~~ the gifted land. But that income certificate was not enclosed. When the income certificate was not enclosed, ~~that~~ it has to be held that the applicant cannot aspire for consideration for the post of EDBPM. In view of the fact that she has not filed her application fully with all enclosures she cannot ask for posting as EDBPM in that Post Office even though she had secured more marks than R-3, the selected candidate.

JK

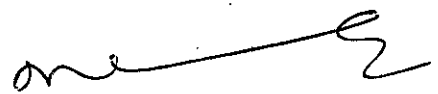
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6. In the result we find no merit in this OA.
Hence the OA is dismissed. No costs.

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



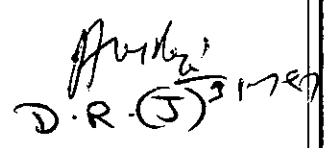
(R. RANGARAJAN)
Member (Admn.)

24.7.97

Dated: 24th July, 1997

(Dictated in Open Court)

sd


D.R. (J) 31-7-97

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Copy to:

1. Senior Superintendent of Post Offices, Bhimavaram Division.
2. Postmaster General, Vijayawada Region, Vijayawada.
3. One copy to Mr. S. Ramakrishna Rao, Advocate, CAT, Hyderabad.
4. One copy to Mr. V. Bhimanna, Addl. CGSC, CAT, Hyderabad.
5. One copy to D.R(A), AT, Hyderabad.
6. One duplicate copy.

YLKR

3/8/97

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TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

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

DATED: 24/7/97

ORDER/JUDGEMENT

M.A./R.A/C.A.NO.

in

O.A.NO. 763/97

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions,

Dismissed

Dismissed as Withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLR?

II Court.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
ब्रेषण/DESPATCH
- 5 AUG 1997
हैदराबाद प्राधिकरण
HYDERABAD TRIBUNAL