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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

DA.No.854/97

Date of Order: 18-02-99

BETWEEN:

Edupalli Varalakshmi

... Applicant

AND

1. Superintendent of Post Offices,  
Narasaraopet Division,  
Narasaraopet, Guntur District.
2. Asst. Superintendent of Post Offices,  
Chilakaluripet Sub Division,  
Chilakaluripet, Guntur District. ... Respondents

Counsel for the Applicant - Mr.N.Saida Rao, Advocate

Counsel for the Respondents - Mr.B.Narasimha Sarma, Sr.CGSC

CORAM:

THE HON'BLE MR.JUSTICE D.H.NASIR : VICE-CHAIRMAN

THE HON'BLE MR.H.RAJENDRA PRASAD : MEMBER (ADMN.)

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O R D E R

(per Hon'ble Mr.H.Rajendra Prasad, M(A))

Heard Mr.N.Saida Rao and Mr.B.Narasimha Sarma  
for the opposing parties.

2. The Applicant was a candidate for the post of EDBPM in response to a notification issued by the 1st Respondent on 14-3-97. There were in all 21 applicants for the said post. The certificates and other documents of the candidates were verified on 5-5-97. No final selection was, however, made, <sup>and</sup> a second notification was issued by the same Respondent on 23-5-97, in response to which 30 candidates submitted their applications. The grievance of the present Applicant

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is that the subsequent notification was issued for no valid reason, and <sup>that too</sup> without cancelling the earlier original notification. The applicant, therefore, prays for a declaration that the action of the 1st Respondent in issuing the second notification on 23-5-97 was illegal and arbitrary, seeks the setting aside of the same, and a direction to <sup>be issued to</sup> the Respondents to declare the results of the selection held in pursuance of the first (the original) notification.

3. The Respondents confirm the basic facts as recorded above and state that certain complaints regarding the non-effectiveness of 'the tom-tom publicity' in the village having been received, it was decided to issue a second notification which is impugned in this OA.

4. We are not convinced by the explanation of the respondents in their counter-affidavit as regards the reasons leading to the issue of the second notification. It is not stated as to who the complainants were, or whether the complaints were at all found to be correct or true on enquiry. Taking cognisance of vague or unsubstantiated complaints may well lead to avoidably undesirable consequences such as seen in this very case. Complaints are likely to be received from any of the unsuccessful candidates or on their behalf. In such situations, it is expected of the authorities to satisfy themselves by a proper inquiry regarding the genuineness and correctness of such complaints before acting on them. No such efforts seems to have been made in this instance

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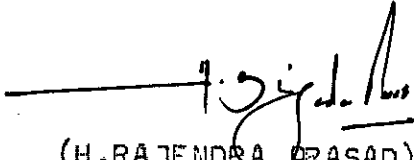
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and a second notification was issued routinely and possibly without any valid reason or justification. Such practices are to be deprecated.

5. We are not impressed by the reasons advanced by the Respondents.

6. In the result, the second notification issued by the 1st respondent on 23-5-97 is quashed. It is directed that the said Respondent shall carry out the selection of the most suitable candidate from among the applicants who had submitted their candidature in response to the first notification, in consonance with the rules and norms of the department. This shall be done within one month from today.

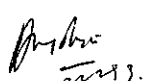
7. Thus the OA is disposed of. No costs.

  
(H. RAJENDRA PRASAD)  
Member (Admn.)

  
(JUSTICE D.H. NASIR)  
Vice-Chairman

Dated: 18th February, 1999  
(order dictated in the open court)

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Ist and IInd Court.

Copy to:

1. HDHND
2. HHRP M(A)
3. HBSJP M(J)
4. D.R. (A)
5. SPARE

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Compared by

Checked by  
Approved by

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH: HYDERABAD.

THE HON'BLE MR. JUSTICE D.H. NASIR:  
VICE - CHAIRMAN

THE HON'BLE H. RAJENDRA PRASAD  
MEMBER (A)

THE HON'BLE R. RANGARAJAN  
MEMBER (A)

THE HON'BLE MR. B.S. JAI PARAMESHWAR:  
MEMBER (J)

DATED: 18/2/99

ORDER/JUDGMENT

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

IN

C.A.NO : 854/97

ADMITTED AND INTERIM DIRECTIONS  
ISSUED.

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

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