

32

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH

AT HYDERABAD

ORIGINAL APPLICATION NO.570/99

DATE OF ORDER : 9-3-2000

Between:-

D.Ganesh Babu

...Applicant

And

1. The Asst.Superintendent of Post Offices, Repalle Sub Division, Repalle-522 265.
2. The Superintendent of Post Offices, Tenali Division, Tenali -522 201.
3. The Unionof India, rep. by the Director General, Dept. of Posts, Dak Bhavan, New Delhi-110 001.

...Respondents

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COUNSEL FOR THE APPLICANT : Shri T.V.V.S.Murthy

COUNSEL FOR THE RESPONDENTS: Shri B.N.Sharma, Sr.CGSC

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CORAM:

THE HONBLE SHRI R.RANGARAJAN : MEMBER (A)

THE HONBLE SHRI B.S.JAI PARAMESHWAR : MEMBER (J)

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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(Order per Hon'ble Shri R.Rangarajan, Member (A)).

Heard Sri T.V.V.S.Murthy, learned counsel for the applicant and Sri B.N.Sarma, senior standing counsel for the Respondents.

2. The applicant in this OA is working as provisional EDMC/DA, Ilavaram BO account with Kanagala SO, Repalle Sub-Division, Tenali Division. He belongs to OBC Community. A notification dated 8-3-1999 was issued for filling up that post regularly without reserving the post for any community. The applicant submits that as the earlier incumbent of that post was OBC candidate and the applicant is also an OBC Community candidate, the notification dated 8.3.1999 should reserve the vacancy to OBC Community.

3. This OA is filed to set aside the notification dated 8.3.1999 and to direct the respondents to issue a fresh notification reserving the post to OBC Community.

4. In the reply the respondents have clearly furnished that the total cadre strength of ED Agents in that division and stated that there is no short fall of OBC candidates. It is adequate to fill up the post on merit basis irrespective of the community. No rejoinder is filed rebutting the contentions and averments of counter affidavit. As there is no short fall of any reserved community, we see no irregularity in issuing the notification dated 8.3.1999. In that view of the matter, the OA is only liable to be dismissed and accordingly it is dismissed. No order as to costs.


(B.S.JAI PARAMESHWAR)
9.3.00
MEMBER (J)


(R.RANGARAJAN)
MEMBER (A)

Dated: 9th March, 2000.

Dictated in Open Court.

Avl/

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH,
HYDERABAD.

1ST AND 2ND COURT

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

COPY TO

1. HONJ

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

2. HRRN (ADMN) MEMBER. THE HON'BLE MR. R. RANGARAJAN
MEMBER (ADMN)

3. HBSJP. M. (JUDL)

THE HON'BLE MR. B. S. JAI PARMESHWAR
MEMBER (JUDL)

4. D.R. (ADMN)

5. SPARE

6. ADVOCATE

7. STANDING COUNSEL

DATE OF ORDER 9/3/2000

MA/R/CP. NO

IN

C.A. NO. 570/99

ADMATTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

C.P. CLOSED

R.A. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO ORDER AS TO COSTS

केन्द्रीय अधिकारिक अधिकारिक
Central Administrative Tribunal
प्रशिक्षण / DESPATCH

16 MAR 2000

हैदराबाद न्यायालय
HYDERABAD BENCH