

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

RA 77/2000 in OA 679/99

DATE OF ORDER : 12.10.2000

Between :-

1. The Postmaster General,
Vijayawada Region,
Vijayawada-520002.
2. The Superintendent of Post
Offices, Guntur Division,
Guntur.
3. The Asst. Supdt. of Post Offices,
Mangalagiri, Guntur District.

...Applicants

And

T.V.Purna Umamaheswar,

...Respondent

-- -- --

Counsel for the Applicants : Shri P. Phalguna Rao, Addl. CGSC

Counsel for the Respondents : Shri K. Sudhakar Reddy

-- -- --

CORAM:

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

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

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

-- -- --

...2.

2

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

-- -- --

Heard Sri P.Phalguna Rao, learned standing counsel for the applicants and Sri K.Sudhakar Reddy, learned counsel for the respondent.

2. The respondents in the OA has^{-ve} filed this RA to review the judgement in O.A. dated 25.11.1999. The applicant clearly states that there are no errors in the judgement. However, the vacancy position as given by the applicant ~~is varied~~ and that lead to the disposal of the O.A. as directed in the judgement dated 25.11.1999.

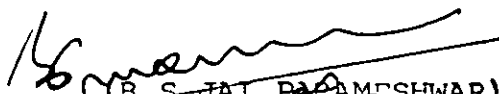
3. The applicants further submit⁷ that there were 13 vacancies to be filled up ~~including~~ adding the departmental quota to the merit quota vacancies. In the notification it has been clearly stated that the 13 vacancies are devided as 8-for OC candidates, 3-for SC candidates and 2-for ST candidates. As there were no ST candidates available, it was added to the OC quota. Hence total OC vacancies are 10 and 3- for SCs. But in the final empanelment order the total number of vacancies of 13 are allotted as 7-for OCs, 2-STs, 1-SC and 3-OBCs.

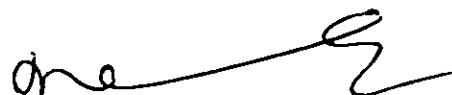
4. The learned counsel for the applicants in R.A. submit that if the 13 vacancies are bifurcated as above in the empanelling order, the judgement requires review.

5. This is a new point^{that}/is brought now. ~~Hence~~ ~~no~~ new point can be considered in the R.A. The applicants in the R.A. has not shown any notification altering the earlier notification for filling up the 13 vacancies as 10-OCs and 3-SCs. The empanelment is not in

R *R*

accordance with the ~~fresh~~ notification. We ^{may} ~~are also~~ not objecting to such bifurcation, ^{if} the earlier notification has been altered to suit the requirement of the department in accordance with the roster. ^{but} without changing the notification, the department on their own cannot resort to bifurcate vacancies as they like in the empanelment order. If that is done, not only the applicant but also some ^{and} eligible applicants who could not appear will be put to dis-advantage. Such an alteration cannot be accepted. As stated earlier, we do not find any merit in this R.A. We have also asked the learned standing counsel for the applicants to quote the citations/case laws in support of his contentions, if any. But no citation was quoted today, when the judgement was in progress. Hence we do not see any reason to wait for any further arguments. The respondents in the OA have to ^{alt} ~~right to change~~ the empanelment order which is contrary to the notification issued. Hence the R.A. is dismissed. No order as to costs.


(B.S. JAI RAMAMESHWAR)
Member (J)


(R. RANGARAJAN)
Member (A)

Dated: 12th October, 2000.
Dictated in Open Court.



avl/