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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.667/99

dt.20-9-2000

Between

Kum. P. Rajya Lakshmi

: Applicant

and

1. Supdt. of Post Offices
Parvatipuram Divn.
Parvatipuram 535501

2. Postmaster General
Visakhapatnam Region
Visakhapatnam

3. Union of India, rep. by
the Director General
Dept. of Posts, Dak Bhavan
New Delhi 1

4. L. Suryanarayana
s/o Ramunaidu, EDBPM
Merakmuddidam BO, Garbham SO
Parvatipuram Divn
532 102

5. S. Narayana Murthiraju
s/o Venkatapathiraju
Somalingapuram, Merakamudidam
Maadalam, at SVR Automobiles
Spare Parts Shop. Opp. Post Office
Cheepurupalle SO 532 128

6. Mandal Revenue Officer
Merakamudidam Mandal
Merakamudidam, Gharbam SO
532 102

: Respondents

Counsel for the applicant

: T.V.V.S. Murthy
Advocate

Counsel for the respondents 1-3 : J.R. Gopal Rao

Counsel for respondents 4-6

: Y. Appala Raju
Advocate

Coram

Hon. Mr. R. Rangarajan, Member (Admn.)

Hon. Mr. B.S. Jai Parameshwar, Member (Judl.)

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ORDER

Oral order (per Hon. Mr. B.S. Jai Parameshwar, Member(J))

Heard Mr. TVVS Murthy, Mr. Y. Appala Raj and Ms. Shakti for Mr. J.R. Gopal Rao for rival parties.

2. This OA is filed for the following relief:

i) To call for the relevant authority and orders of the department of Personnel & Training for grouping and reservation of the posts of ED Agents, if any, in the Postal department as done by the DG Posts (R-3) in his office letter No.19-11-97-ED & Trg. dated 27-11-97 (Annex.A-XVIII)

ii) To call for the relevant rosters maintained by the SP, Parvatipuram and the relevant selection file BED/IV-29 of R-1 to show as to how he came to issue the impugned notification dated 26-6-98 (Annex.A-I) inviting applications from SC/ST/OBC Oc candidates and selected R-4, giving preference to a less meritorious OBC candidate, ignoring the more meritorious applicant.

iii) To set right the mistake of this Hon'ble Tribunal in its order dated 30-9-98 in OA.1270/98 (Annex.A.XIX) in treating the post of EDBPM, Merakamudidam as reserved or preference has to be given community wise and quash the impugned order No. BED/IV-29 dated 2-3-99 (Annex.A-II) of the SP, Parvathipuram (R-1) selecting R-4 as the EDBPM, and consequently to direct R-1 to consider the applicant for selection and appointment to that post, is found otherwise eligible, as the selection of R-4 is illegal, arbitrary and violative of Articles 14 and 16 of the Constitution, when no reservations/preference are indicated in the notification dated 26-6-98 (Annex.A-I).

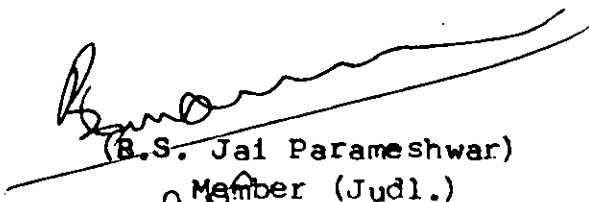
3. The learned counsel for the applicant submits that he is withdrawing this OA.

D

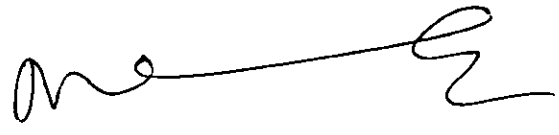
..2.

[Signature]

4. The OA is disposed of as withdrawn.
5. If any fresh OA is filed and if it is to be admitted then the period from filing of this OA till today will not count for the purpose of limitation.


(B.S. Jai Parameshwar)
Member (Judl.)

20.9.00


(R. Rangarajan)
Member (Admn.)

Dated : 20 Sept. 2000
Dictated in Open Court

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD

COPY TO:-

~~1ST AND 2ND COURT~~

- 1. HDHOJ
- 2. HARN (ADMN) MEMBER
- 3. HOSOP (JUDL) MEMBER
- 4. D.T. (ADMN)
- 5. SPARE
- 6. ADVOCATE
- 7. STANDING COUNSEL

TYPED BY CHECKED BY
COMPARED BY APPROVED BY

THE HON'BLE MR. JUSTICE DR. NASIR
VICE-CHAMAN

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

THE HON'BLE MR. DS. JAI PARAMESHWAR
MEMBER (JUDL)

DATE OF ORDER

20/9/2000

~~MA/KA/CP. NO~~

IN
CA. N. N. 667/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

C. P. CLOSED

(2 copies)

R. A. CLOSED

~~DISPOSED OF WITH DIRECTIONS~~

WUE DRAWN

DISMISSED

DISMISSED AS WITHDRAWN

ORDER REJECTED

NO ORDER AS TO COSTS

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
प्रेषण / DESPATCH
29 SEP 2000
हैदराबाद न्यायपीठ
HYDERABAD BENCH