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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.1251/99.

Date of Decision: 05-11-99.

Vamuru Ramanaiah

.. Applicant.

Vs

1. The Superintendent of Post Offices,
Gudur Division,
Gudur (Nellore)-524 101.

2. The Union of India, rep. by the
Director General,
Dept. of Posts, New Delhi-110 001.

3. Shri M.Murali

.. Respondents.

Counsel for the applicant : Mr.T.V.V.S.Murthy

Counsel for the respondents : Mr.M.C.Jacob, Addl.CGSC.

CORAM:-

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

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

ORDER

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

Heard Mr.T.V.V.S.Murthy, learned counsel for the applicant and
Mr.M.C.Jacob, learned counsel for the respondents.

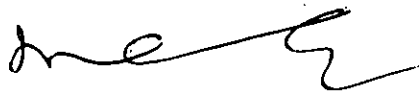
2. This OA is filed for the following relief's:-

- i) To call for the relevant records viz, selection file No.B3/Althurthy/PF of the SP, Gudur (R-1) relating to this case and the communal roster maintained by R-1 for filling up the posts of EDBPMs in Gudur Division;
- ii) to set aside the selection of Shri M.Murali (R-3) as the EDBPM, Althurthy, B.O. as illegal and arbitrary and in violation of Arts. 14 & 16 of the Constitution of India and consequently to direct R-1 to

consider and appoint the applicant as the EDBPM, Althurthy B.O. if found eligible as he is more over a SC Candidate;

- iii) to direct R-2 to modify his letter No.19-11/97 - ED & Trg. Dated 27-11-97 (Annexure-A.X) suitably by deleting the condition of availability of 13 eligible applicants for the posts of EDAs in respect of posts reserved or unreserved, as such a condition is illegal and in violation of Arts. 14 & 16 of the Constitution and in violation of the law laid down by the Supreme Court in 1998 (1) SLJ 218 (SC) : and
- iv) to pass such other order or orders as deemed fit and proper in the circumstances of the case.

3. When the OA was taken up for hearing the learned counsel for the applicant has desired to withdraw this OA as it has become infructuous. Hence the OA is dismissed as infructuous. No costs.

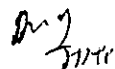


(R. RANGARAJAN)
MEMBER(ADMN.)



(D. H. NASIR)
VICE CHAIRMAN

Dated : The 05th November, 1999.
(Dictated in the Open Court)



SPR

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH : HYDERABAD

1ST AND 2ND COURT

COPY TO :-

1. BBHND
2. HRRN M (A)
3. BBSJP M (J)
4. D.R. (A)
5. SPARE
6. ADVOCATE
7. STANDING COUNSEL

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE HON'BLE MR. JUSTICE D.H. NASIR

VICE - CHAIRMAN

THE HON'BLE MR. R. RANGARAJAN :

MEMBER (ADMN.)

THE HON'BLE MR. S. S. JAI PARAMESWAR :

MEMBER (JUDL.)

* * *

DATE OF ORDER:

5/11/99

MA/RA/CP.No.

in

OA. NO.

1251/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED.

CP CLOSED

RA CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED / REJECTED

NO ORDER AS TO COSTS

6 copies

