

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH  
AT HYDERABAD

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O.A.No.277/99.

Date of Decision: 29-12-99.

C.Srinivasa Reddy

.. Applicant.

Vs

The Senior Superintendent of Post Offices,  
Nizamabad Postal Division,  
Nizamabad.

.. Respondent.

Counsel for the applicant : Mr.S.Ramakrishna Rao

Counsel for the respondent : Mr.P.Phalguna Rao, Addl.CGSC.

CORAM:-

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

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

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ORDER

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

Heard Miss Parvathi for Mr.S.Ramakrishna Rao, learned counsel for the applicant and Mr.P.Phalguna Rao, learned counsel for the respondent.

2. This OA is filed to set aside the notification No.B-1/Koonepalli/98 dated 05-01-1999 (Annexure-I to the OA) whereby the notification was issued for filling up the post of EDBPM, Koonepalli, reserving the post for SC community candidate by holding that notification as illegal and for a further consequential direction to the respondents to re-notify the post making it open for OC candidates for the post of EDBPM, Koonepalli.

3. The applicant relies on the other notification for filling up the post of EDBPM, Rampur issued on 5-1-99 (Annexure-II to the OA) wherein the post was not reserved. The applicant also relies on the notification for filling up the post of EDBPM, Kondur issued on 5-1-99 (Annexure-III to the OA) whereby the notification was issued for filling the post of EDBPM, Kondur reserving the same for SC. Relying on the



Responsible for the construction of the new building is the company 'S.A. Construcción y Montaje S.A.'

ОИСТ ОКДЕК (БЕК НОУВИЕ ЗИК БАНАДАРЫН: НАМБЕР: НУУЧА)

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THE HONOURABLE MEMBER: NALABANDIANA K. V. (M.M.A.)

## THE HONORABLE JUSTICE D. H. SISAN H. NICE CHAMBERS

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OPERATIONS

Date of Despatch: 28-12-00

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**THE CENTRAL VILLAGE AT THE DABADABAD BEACH**

notifications referred to above the learned counsel for the applicant submits that the reservation is done by pick and choose method and there is no need for reserving the post for reserved community candidate.

4. A reply has been filed in this OA. In the reply the shortfall of EDBPM has been given in para-5.3 of the reply. The shortfall has to be decided on the ~~ED~~ Staff of whole Division and not for a particular ED post. Hence we called for the details regarding the shortfall of reserved community in the ED Posts in Nizamabad Division.

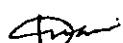
5. Today the learned counsel for the respondents produced a list wherein it is stated that the total number of ED Posts in Nizamabad Division is 855 and there is a shortfall of 47 SCs and 32 STs and Nil for OBC. In view of that he submits that the post of EDBPM, Koonepalli Village was sought to be filled by reserving the post for an SC candidate by notification dated 5-1-99 (Annexure-I to the OA). In that view he submits that there is no pick and choose policy.

6. We agree with the submission of the learned counsel for the respondents. Out of three notifications enclosed to the OA at Annexure-I, Annexure-II and Annexure-III the respondents have correctly reserved the posts for SC and justifiably kept the third post ~~as~~ reserved. Hence, we see no irregularity in issuing the notification for filling up the post of EDBPM, Koonepalli by reserving the same for SC. In view of that the OA is dismissed.

No costs.



(R. RANGARAJAN)  
MEMBER(ADMN.)



(D. H. NASIR)  
VICE CHAIRMAN

Dated: The 29<sup>th</sup> December, 99.  
(Dictated in the Open Court)

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