

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:

AT HYDERABAD

O.A.No.208 OF 1999.DATE OF ORDER:26-4-1999.BETWEEN:

T.Purender Reddy.

... Applicant

a n d

1. The Superintendent of Post Offices,
Mahabubnagar Division, Mahabubnagar-
509 001.
2. The Post Master General,
Hyderabad Region, Hyderabad.
3. G.Krishnayya,s/o G.Hanumayya,
BPM,Chintalkunta Branch Office,
Macherla S.O.Mahabubnagar District-
509 001.

... Respondents

COUNSEL FOR THE APPLICANT :: Mr.K.Venkateswara Rao

COUNSEL FOR THE RESPONDENTS:: Mr.V.Vinod Kumar

CORAM:

THE HON'BLE SRI R.RANGARAJAN, MEMBER(ADMN)

A N D

THE HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER(JUDL)

: O R D E R :

ORAL ORDER(PER HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER(J))

Heard Mr.TVVS.Murthy for Mr.K.Venkateswara Rao,
 learned Counsel for the Applicant and Mr.V.Vinod Kumar,
 learned Standing Counsel for the Respondents. Notice
 served on R-3. Called absent.

R

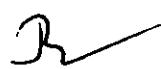
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2. The post of EOBPM, Chintalkunta Branch Office, fell vacant with effect from 3-3-1998 on account of the promotion of the regular incumbent as Group- 'D'. The Assistant Superintendent of Post Offices, Gadwal Sub Division, appointed the applicant to that post purely on provisional basis. The selection process was initiated by approaching the Employment Exchange. As there was no response from the Employment Exchange, an open notification was issued on 4-6-1998, fixing the last date for receipt of application as 6-7-1998. In response to the said notification, seven applications including that of the applicant and that of Respondent No.3 were received.

3. On scrutiny, Respondent No.3 was found meritorious and hence, he was selected. Though initially the applicant resisted to handover the charge of the post to the selected candidate, he handedover the charge on 31-12-1998.

4. The applicant has filed this OA challenging the selection and appointment of Respondent No.3 to the post of EOBPM, Chintalkunta Branch Office, on the ground that, i) the respondent no.3 is of 50 years of age, and hence appointing him will deprive the youngsters for entering into the Government service; ii) The Respondent No.3 is a strong supporter of the Telugu Desam Party, and hence his appointment/as EOBPM is irregular; iii) The accommodation provided by the Respondent No.3 is in the corner of the Village and hence not suitable.



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5. As per the rules, the minimum prescribed age for the post is 18 years and the maximum is 65 years. The respondent no.3 is aged 50 years. He is within the age limit.

6. As regards the claim of the applicant that the selected candidate has a political backing has not been substantiated by any convincing material. However, the respondents stated that/Respondent No.3 had contested for the post of Sarpanch and he lost in the elections. Further they submit that his wife is a ZPTC Member and the same does not disqualify the selected candidate for being posted as EDBPM. Merely, because the selected candidate's wife is a ZPTC Member, no disqualification can be attached to the selected candidate. Hence, the contention of the applicant that the selected candidate has political backing cannot be accepted.

7. In reply it is stated that the house of the Respondent No.3 is located centrally and there are no complaints from any of the villagers till now, and hence all the allegations made by the applicant are baseless and untenable.

8. It is for the Department to decide in regard to the suitability of the house provided by the Respondent No.3 for running the Post Office. If the respondents are satisfied then the applicant cannot question the same. Hence, this contention is also rejected.

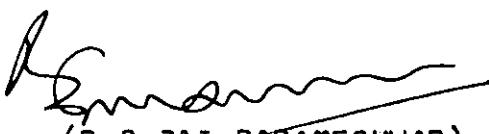
9. It is stated in the reply that the applicant had got 315 marks whereas the Respondent No.3 had got 331 marks

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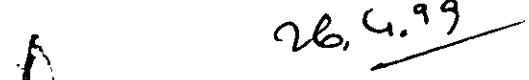
in the S.S.C.,,. Hence, Respondent No.3 was declared as a meritorious candidate and selected.

10. In view of what is stated above, we find no merits in this OA. Hence, the OA is dismissed.
No costs.


(B.S.JAI PARAMESHWAR)

MEMBER (JUDL)

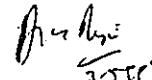

(R.RANGARAJAN)
MEMBER (ADMN)


26, 4.99

DATED: this the 26th day of April, 1999

Dictated to steno in the Open Court

DSN


3575

1ST AND 2ND COURT

COPY TO:-

1. HONJ
2. HHRP M(A)
3. HBSJP M(B)
4. B.R.(A)
5. SPARE

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

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

THE HON'BLE MR. H.RAJENDRA PRASAD :
MEMBER (A)

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

THE HON'BLE MR.B.S.JAI PARAMESWAR :
MEMBER (J)

DATED: 26/4/88.

ORDER /- JUDGEMENT

MR./R.A./C.P.NO.

IN

O.A. No. 208/88

ADMITTED AND INTERIM DIRECTIONS
ISSUED.

ALLOWED.

C.P. CLOSED.

R.A. CLOSED.

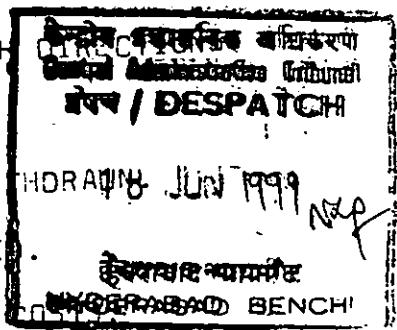
DISPOSED OF WITH DIRECTIONS

DISMISSED.

DISMISSED AS WITHDRAWN JUN 1999

ORDERED/REJECTED.

NO ORDER AS TO COST



SRR

8 (ENCL) 8/4/88