

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

O.A.No.373 OF 1999.

DATE OF ORDER:15-6-1999.

BETWEEN:

K.Mahaboob Basha.

.....Applicant

and

1. The Sub-Divisional Inspector
(Postal), Pulivendla Division,
Pulivendla, Cuddapah District.

2. G.Mallikarjuna, s/o Balagangulu,
Moopurigaripalli Village, Hamlet of
Tallapalli, Vempalli Mandal,
Cuddapah District.

.....Respondents

COUNSEL FOR THE APPLICANT :: Mr.L.J.Veera Reddy

COUNSEL FOR THE RESPONDENTS :: Mr.P.Phalguna Rao

CORAM:

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

AND

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

: ORDER :

ORAL ORDER (PER HON'BLE SRI R.RANGARAJAN, MEMBER (A))

Heard Mr.V.Suryanarayana Sastry for Mr.L.J.Veera-
Reddy, learned Counsel for the Applicant, Mr.P.Phalguna Rao,
learned Standing Counsel for the Official Respondent, and
Mr.S.Ramakrishna Rao, learned Counsel for the Respondent
No.2.

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2. The applicant in this OA challenged the selection of the Respondent No.2 as EDDA of Veerannagattupalli Village, Veeraballi Mandal of Cuddapah District. The main contentions of the applicant in this OA are two-fold. They are:-

- i) The Respondent No.1 is not the Competent Authority to issue the appointment order to R-2; and
- ii) Wide publicity was not given for calling for applications from the eligible candidates for selection to that post.

3. When the OA was heard today, the learned Counsel for the Applicant himself submits that he is not pressing the first contention as the Respondent No.1 is the Competent Authority. Hence, no further consideration of that contention is necessary.

4. The ^{Other} contention in this OA is wide publicity ^{to the notification} was not given and he submits that the Apex Court Judgment in THE EXCISE SUPERINTENDENT, MALKAPATNAM, KRISHNA DISTRICT Vs KBN.VISHWESHWAR RAO & OTHERS (reported in 1996(6) SCALE 676), for giving wide publicity ^{has given guidelines and we have done} is not followed.

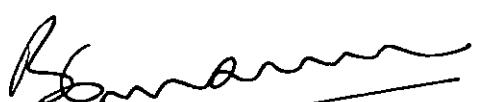
5. The notification was issued on 18-7-1998. The Respondent No.2 also did not apply for the said post. But somehow he came to know of the notification issued to the Employment Exchange for sponsoring the candidates. His name was not sponsored by the Employment Exchange. He approached this Tribunal by filing OA.No.1393 of 1998,

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and that OA was disposed of on 22-10-1998, directing the respondents to consider the Respondent No.2 also for the Selection. Accordingly, Respondent No.2 was considered and he was selected.

6. The applicant submits that he is the local candidate. He also submits that the Respondent No.2 is staying about 15 KMs away from the local area. When a ^{residing} candidate ^{was} 15Kms away from that area ^{was} knowing about the issue of the notification, we see no reason to come to the conclusion that the applicant ^{was} ^{is} not aware of the notification. If his name had not been sponsored by the Employment Exchange, he could have approached this Tribunal like Respondent No.2 and got approval for consideration of his case for the Selection. But he did not do so. Hence, merely stating that no publicity was given for selection of that post is not an appropriate ground to set aside the Selection of Respondent No.2. However, we advise the respondent-authorities to be more careful in future so that such ^{may} ~~sort~~ of complaints ~~will~~ not arise in future.

7. With the above observations, the OA is dismissed. No costs.


(B.S. JAI PARAMESHWAR)
MEMBER (JUDL)
1516(1)


(R. RANGARAJAN)
MEMBER (ADMN)

DATED: this the 15th day of June, 1999

Dictated to steno in the Open Court

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