

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL; HYDERABAD BENCH

AT HYDERABAD

O.A.No.456/99

Date of Order:11.4.2000

BETWEEN :

Yalamandala Ramanaiah

..Applicant.

AND

1. The Superintendent of Post Offices,
Nellore.

2. Sub Divisional Inspector (Posts),
Udayagiri Sub-Division, Udayagiri,
Nellore Dist.

3. Bhringa Venkateswarlu,
Garimenapenta Village,
Kondapuram Mandalam,
Nellore Dist.

..Respondents.

- - -

Counsel for the Applicant

..Mr.S.Ramakrishna Rao

Counsel for the Respondents

..Mr.V.Vinod Kumar

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CORAM :

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

HON'BLE SHRI B.S.JAI PARAMESHWAR:MEMBER(JUDL.)

- - -
O R D E R

)(As per Hon'ble Shri B.S.Jai Parameshwar M(J))(

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Ms.Parvathi for Mr.S.ramakrishna Rao, learned
counsel for the applicant and Mr.V.Vinod Kumar,
learned standing counsel for the respondents. Notice
to R-3 served, - Called absent.

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2. The vacancy of EDDA Garimena penta BO a/w Chakalakonda S.O. fell vacant due to retirement of regular incumbent. As there was a shortfall in the ~~of candidates belonging to representation~~ OBC community in the sub division, the ~~candidate~~ vacancy was reserved for OBC community and the respondents approached the employment exchange for sponsoring the candidates. As there was no response from the employment exchange, an open notification was issued on 28.12.98 fixing ^{the} last date for receipt of applications as 28.1.99. In response to the open notification, 11 applications were received. Out of 11 candidates 3 candidates attended for verification. After verification of the documents, R-3 was selected and appointed to the post.

3. The applicant has filed this OA to set aside the selection of R-3 who was less meritorious and he was not eligible to be considered without following the norms prescribed under the rules and for a consequential direction to consider the case of the applicant for the said post.

4. The respondents in their reply have categorically stated that the applicant had secured 231 marks highest among the ~~other~~ candidates. However at the time of verification, the applicant failed to produce the original SSC marks certificate. They submit that the said document was necessary to consider the candidature and hence the ^{Case of the} applicant was

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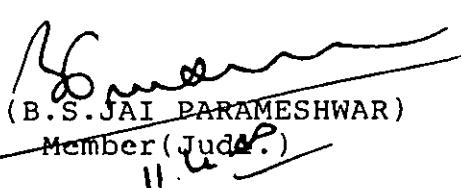
rejected and the next meritorious candidate, namely the R-3 was selected.

5. At the time of hearing the learned counsel for the applicant submitted that the applicant had produced the xerox copy of the SSC marks certificate and on that basis the respondents could have considered the candidature of the applicant. The xerox copy cannot be considered as a original. The applicant should have produced the original SSC marks certificate to consider his merit. When the applicant failed to produce the original SSC marks certificate at the time of verification, the respondents were justified in selecting the next meritorious candidate, namely the R-3.

6. In that view of the matter, we find no irregularity in selecting R-3 to the said post.

7. Hence the OA is dismissed.

8. No costs.


(B.S.JAI PARAMESHWAR)

Member (Judge)


(R.RANGARAJAN)

Member (Admn.)

Dated : 11th April, 2000
(Dictated in Open Court)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH, HYDERABAD

1ST AND 2ND COURT

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

COPY TO:

1. HON. JUSTICE D.H. NASIR
2. HON. MEMBER (ADMN)
3. HON. MEMBER (JUDL)
4. D.R. (ADMN)
5. SPARE
6. ADVOCATE
7. STANDING COUNSEL

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

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

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

DATE OF ORDER 11/4/2000

MA/RA/CP.NO.

IN

DA. NO. 456(99)

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

C.P. CLOSED

R.A. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO ORDER AS TO COSTS

Central Administrative Tribunal
Hyderabad Bench
HYDERABAD BENCH

27 APR 2000

Despatched
MAPPAL SECTION

27 APR 2000
MAPPAL SECTION