

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 405 of 1999

Jabalpur, this the 1st day of September, 2003

Hon'ble Shri D.C. Verma, Vice Chairman (Judicial)  
Hon'ble Shri Anand Kumar Bhatt, Administrative Member

Jitendra Kumar Sahu son of Shri  
Guhdera Sahu aged about 24 years,  
R/o. Village and post, Shankari  
via Kurud Distt. Dhamtari, Raipur (MP). ... Applicant

(By Advocate - None)

V e r s u s

1. The Union of India, Through its Secretary Department of Postal Service/Tele communication, New Delhi.
  2. Post Master General, Deptt. of Post Office, Bhopal (MP).
  3. The Head Post Master, Head Post Office, Raipur Distt. Raipur (MP).
  4. Shri ~~Dosram~~ Sahu, S/o. ~~Ses-man~~ Sahu, aged 23 years, Village Shankari, Post Shankari, Teh. Kurud, Distt. Dhamtari, Raipur. ... Respondents
- (By Advocate - Shri P. Shankaran for respondents No. 1 to 3, None for respondent No. 4)

O R D E R (Oral)

By Anand Kumar Bhatt, Administrative Member -

Applicant Jitendra Kumar Sahu has challenged the selection of respondent No. 4, Shri Dosram Sahu on the post of EDMC/DA in the Branch Post Office Shankari in Kurud Sub Office of Raipur Head Office.

2. The facts of the case as brought out by the applicant are that although the applicant had secured higher marks in VIIIth standard, less qualified candidate i.e. respondent No. 4 was appointed on the post of EDMC/DA. He also performed the work of this post on substitute basis and this experience should have been taken into consideration for the appointment.


3. The respondents have submitted that four candidates were considered for the post. The minimum qualification was Class VIIIth pass and the marks obtained in that examination was to be taken into consideration for appointment. Respondent No. 4 Shri Dosram Sahu had received higher marks ~~and~~ with regard to consideration of educational qualification of Class VIIIth, As far as applicant is concerned he did not submit his Class VIIIth mark sheet, but only submitted mark sheets of subsequent examinations. As regards experience, the said advertisement did not prescribe experience as one of the eligibility conditions or desirable qualifications and therefore that is not to be taken into consideration.

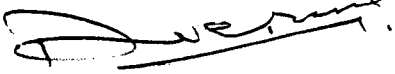
4. Nobody was present on behalf of the applicant and respondent No. 4. We have heard the learned counsel for the official respondents and have seen the pleadings in the case. The case is decided under Section 15(1) of the C.A.T. (Procedure) Rules, 1987.

5. We have seen the mark sheet <sup>of VIIIth standard</sup> ~~of~~ the selected candidate which is at Annexure R-1. The total marks secured by Shri Dosram Sahu are 907 out of 1500. The total marks secured by the applicant Jitendra Kumar Sahu, <sup>in VIIIth standard</sup> ~~as~~ has been submitted by him alongwith his OA (Annexure A-2) is 859 out of 1500. In any case as has been mentioned by the respondents in their reply that this mark sheet of VIIIth standard of the applicant was not presented by the applicant alongwith his application, but only the subsequent mark sheets i.e. of High School and Higher Secondary (Annexure A-3 and Annexure A-4 respectively) had been given. The respondents have also stated in the reply to para 1 of the O.A. that there is no provision for giving preference to experienced persons for appointment on the post of EDMC/DA.

*[Signature]*

6. As such the Original Application has no merit and accordingly it is dismissed. There shall be no order as to costs.

  
(Anand Kumar Bhatt)  
Administrative Member

  
(D.C. Verma)  
Vice Chairman (J)

"SA"

पूरांकन सं ओ/न्या.....जबलपुर, दि.....  
पतिलिपि वा जे रिजल:-

(1) सविन, उच्च न्यायालय, जबलपुर

(2) अ.न्यायाधीश, जबलपुर

(3) प्रवक्ता, जबलपुर

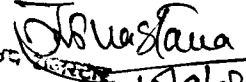
(4) प्रवक्ता, जबलपुर


(5) प्रवक्ता, जबलपुर

(6) प्रवक्ता, जबलपुर

Bhoop Singh, Advt

P. Shankaran, Advt

  
18/9/03

  
11-9-03