

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00204/2017

DATED THIS THE 19TH DAY OF JULY, 2018

HON'BLE DR.K.B.SURESH, MEMBER (J)

HON'BLE SHRI DINESH SHARMA, MEMBER (A)

Omkar,

Aged 33 years,

S/o Pundalika Rao,

GDS BPM, Chintalgere BO,

A/w Bidar Gandhigunj PO,

Bidar – 585 401

.....Applicant

(By Advocate Shri B. Venkateshan)

Vs.

1. The Union of India,

Represented by the Secretary,
Department of Posts,
Dak Bhavan,
New Delhi – 110 001.

2. The Chief Post Master General,
Karnataka Circle,
Bengaluru – 560 001.

3. The Post Master General,
North Karnataka Region,
Dharwad – 560 041.

4. The Superintendent of Post Offices,
Bidar Division,
Bidar – 585 401.

5. Basavaraj,
S/o Gurubasanna
Postman,
Bidar HO,
Bidar – 585 401

....Respondents

(By Shri K. Dilip Kumar, Counsel for Respondent No. 1 to 4)

O R D E R (ORAL)

(HON'BLE DR. K.B. SURESH, MEMBER (J)

Apparently the applicant and the party respondent got 48 marks each in the Limited Departmental Competitive Examination. The respondents held the party respondent to be senior on the basis of his date of entry into service but it transpires that the party respondent is a Mail Deliverer and the applicant is a BPM therefore BPM will be more senior as he is superior to Mail Deliverer. Therefore the selection of 5th respondent is not correct. But at this stage we are reluctant to quash his appointment as he has already been appointed therefore we will direct the respondents to appoint the applicant now in a supernumerary post to be accommodated and adjusted later on as the distinction between the applicant and the 5th respondent is very narrow but in the seniority the applicant will, of course, be senior to the party respondent.

2. The OA is allowed as above. No order as to costs.

(DINESH SHARMA)

MEMBER (A)

(DR.K.B.SURESH)

MEMBER (J)

/ksk/

Annexures referred to by the applicant in OA No. 170/00204/2017

Annexure A1 Copy of the Memo No. B-2/BPM/Chintalgera dated 13.06.2006

Annexure A2 Copy of the Circular No. R&E/1-7/2015 dated 27.11.2015

Annexure A3 Copy of the result list of qualified candidates for Postman held on 10.01.2016

Annexure A4 Copy of the SPOs, Bidar letter No. B2/28-1/Postman-Exam/2015 dated 17.11.2016

Annexure A5 Copy of the Recruitment Rules of 2010 for Postman/Mail Guard

Annexure A6 Copy of the Recruitment Rules of 2012 for Postman/Mail Guard

Annexure A7 Copy of the applicant's representation dated 28.11.2016

Annexure A8 Copy of the applicant's representation dated 21.12.2016

Annexure A9 Copy of the applicant's representation dated 05.01.2017

Annexures with reply statement

Annexure R1 Copy of the Memo No. B-2/28-1/Postman-Exam/2015-16 dated 01.02.2016

Annexure R2 Copy of the Letter No. B-2/28-1/Postman-Exam/2015-16 dated 15.02.2016

Annexure R3 Copy of the circular No. 27/24/65-NCG dated 07.04.1966

* * * * *