

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

ORIGINAL APPLICATION NO.170/00217/2017

DATED THIS THE 09TH DAY OF NOVEMBER, 2017

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

HON'BLE SHRI P.K. PRADHAN, MEMBER(A)

Hussainappa,
S/o Late Bheemshappa,
Aged 27 years,
Residing at Post: Azalapur,
Taluk & District: Yadgiri,
Yadgiri – 585 315.

...Applicant.

(By Advocate Shri A.R. Holla)

Vs.

1. Union of India,
By Secretary,
Department of Posts,
Dak Bhavan,
New Delhi – 110 001.

2. The Chief Postmaster General,
Karnataka Circle,
Bangalore – 560 001.

3. The Postmaster General,
N.K. Region,
Dharwad – 580 001.

4. The Senior Superintendent of Post Offices,
Gulbarga Division,
Gulbarga – 585 101.

...Respondents.

(By Shri M. Rajakumar, Senior Central Government Counsel)

O R D E R (ORAL)

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

Heard. The matter is in a very small compass. Earlier when
the applicant approached this Tribunal, he had secured 50 marks. The

applicant's counsel would say that had he obtained 51 points, then he would have been selected. But then he would say that if correct points had been given on all parameters, at that point of time he would have got 64 points, then he could have been selected. But he did not raise the issue at that point of time. Now the points system had been changed and brought down to 36 points. Therefore, he may have to be given further chance.

2. At this point of time, learned counsel for the respondents relies on Annexure R-1, which says that past cases will not be reopened. Since DoP&T has already issued a circular indicating that if in some cases a re-look is necessary, it has to be done. Annexure R-1 is not relevant. Therefore notwithstanding Annexure R-1, respondents will look into the matter once again, especially, earlier we had directed for 2 more opportunities in accordance with extant rules. They will also look into the matter afresh and determine whether the applicant should have got more points even at the earliest point itself and modulate their orders.

3. Accordingly the OA is allowed to this extent. Applicant be considered in accordance with law in the next consideration, within 6 months in any case. No order as to costs.

(P.K. PRADHAN)
MEMBER(A)

(DR. K.B. SURESH)
MEMBER(J)

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Annexures referred to by the applicants in OA.No.217/2017

Annexure-A1: Copy of applicant's representation dated nil addressed to the Senior Superintendent of Post Offices, Gulbarga.

Annexure-A2: Copy of the representation dated 17.07.2010 addressed to the Senior Superintendent of Post Offices, Gulbarga.

Annexure-A3: Copy of the order No. F/CA/dlgs 10-11 dated 14.11.2011 issued by the Senior Superintendent of Post Offices, Gulbarga

Annexure-A4: Copy of the CRC proceedings dated 03.10.2011

Annexure-A5: Copy of the order No. B2/CA/Hussainappa/Dlgs/12 dated 28.06.2012

Annexure-A6: Copy of the order dated 16.08.2012 in O.A. No. 74 of 2012

Annexure-A7: Copy of applicant's representation dated 08.09.2012 addressed to the Chief Post Master General

Annexure-A8: Copy of the Memo No. R&E/2-6/694/10 dated 07.03.2013

Annexure-A9: Copy of the letter No. NKR/STA-3/CA-30/2010 dated 28.04.2013

Annexure-A10: Copy of applicant's representation dated 12.01.2016 addressed to the Chief Postmaster General, Bangalore.

Annexure-A11: Copy of the letter No. R&E/2-6/694/10 dated 30.06.2016

Annexure referred to by the respondents in the Reply Statement

Annexure-R1: Copy of Ministry of Communications & IT Corrigendum No.17-17/2010-GDS dated 10.06.2016.

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