

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

ORIGINAL APPLICATION NO. 170/00026/2017

DATED THIS THE 28<sup>TH</sup> DAY OF AUGUST, 2017

HON'BLE SHRI JUSTICE HARUN-UL-RASHID...MEMBER (J)  
HON'BLE SHRI PRASANNA KUMAR PRADHAN, MEMBER (A)

N. Devika Rani,  
W/o Shri G. Somashekar,  
Aged 34 years,  
Working as GDS MD, Speed Post,  
Nodal Business Centre,  
Jayanagar Head Post Office,  
Bengaluru – 560 041,  
Residing at No.5, 6<sup>th</sup> Cross,  
Near Ulsoor Gate Police Station,  
Cubbonpet Main Road,  
Bengaluru – 560 002.

... Applicant

(By Advocate Shri A.R. Holla)

Vs.

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

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

2. The Post Master General,  
S.K. Region,  
Bengaluru – 560 041.

4. The Superintendent of Post Offices,  
Bengaluru South Division,  
Bengaluru – 560 041.

...Respondents

(By Shri M. Rajakumar, Counsel for Respondent No. 1-4)

ORDER (ORAL)

HON'BLE PRASANNA KUMAR PRADHAN, MEMBER (A):

This OA was filed by the applicant seeking quashing of the order dated 27.12.2016 by Respondent No.4 by which the application submitted by the applicant for the post of Postman/Mail Guard examination was disallowed. By an interim order of this Tribunal dated 27.02.2017 the applicant was permitted to appear for the said examination with a stipulation that the result should be kept in a sealed cover. Accordingly the applicant appeared in the examination.

2. When the matter was taken up for hearing, the learned counsel for the respondents produced the sealed cover containing the result of the applicant. On opening the same, it was noted that the applicant who belongs to OBC category has secured 54 marks in the said examination. The learned counsel for the respondents also produced a communication dated 24.08.2017 saying that there were 2 vacancies notified in OBC Category for the year 2016-17 and the cut off marks was 65 for the OBC candidates. The last selected candidate under OBC category has secured 65 marks.

3. Therefore it is evident that the applicant has secured less marks than the marks secured by the last selected candidate in OBC Category and did

not succeed in the examination. Both counsel agreed that in view of this there is no necessity for considering the issue of eligibility of the applicant to appear in the said examination. Hence we hold that the present OA does not merit any further consideration thus. Therefore the OA stands dismissed. No order as to costs.

(PRASANNA KUMAR PRADHAN)  
MEMBER (A)

(JUSTICE HARUN-UL-RASHID)  
MEMBER (J)

Ksk

**Annexures referred to by the applicant in OA No. 170/00026/2017**

**Annexure-A1:** True copy of order No. F2/ADA/GDSDR/NBC/JNRHO/12 dated 29.07.2013 imposing penalty on the applicant.

**Annexure-A2:** True copy of circular No. A-34020/08/2015-DE dated 10.12.2015 issued by the Assistant Director General (DE), Department of Posts.

**Annexure-A3:** True copy of the notification No.R&E/1-7/2016-17/I dated 28.11.2016 regarding LDCE for filling the posts of Postmen/Mail Guards.

**Annexure-A4:** True copy of the order No. B2/LDCE/PM/Dlgs/16-17 dated 27.12.2016 issued by the Senior Superintendent of Post Offices, Bengaluru Division.

**Annexure-A5:** True copy of the order No. R&E/1-7/2016-17/II dated 01.02.2017 issued by the Office of the Chief Postmaster General, Karnataka Circle.