

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.1532/2019

Dated Wednesday, the 4th day of December, 2019

PRESENT

Hon'ble Mr.P.Madhavan, Judicial Member

&

Hon'ble Mr.T.Jacob, Administrative Member

J.Prabaharan,

GDS MD/MC, Nakkambadi BO, a/w

Palaiyur SO, 612 203,

Kumbakonam Postal Division.

....Applicant

By Advocate M/s. P. R. Satyanarayanan

Vs

Union of India rep by,

1.Chief Postmaster General,

Tamilnadu Circle,

Chennai 600002.

2.Postmaster General,

Central Region,

Tiruchirapalli 620001.

3.Superintendent of Post Offices,

Kumbakonam Postal Division,

Kumbakonam 612 001.

....Respondents

By Advocate Mr. R. S. Krishnaswamy

(Order: Pronounced by Hon'ble Mr.P.Madhavan, Member(J))

Heard. The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

"To call for the records relating to the impugned proceedings no. REP/2-Misc/2019 dated 25.10.2019 issued by the first respondent and quash the same as arbitrary and illegal and direct the respondents to appoint the applicant as Postal Assistant under 'UR' category in Kumbakonam Postal Division based on his merit position released by the first respondent in respect of the DR Examination for GDS to PAs/SAs for the unfilled vacancies of departmental quota of the years 2013 and 2014 and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case and thus render justice."

2. When the matter came up for hearing today, learned counsel for the applicant would submit that the applicant participated in the examination for appointment to the post of Postal Assistant for the departmental vacancies of the years 2013 & 2014 thrown open to GDS. He qualified in Paper-I and Paper II of the examination and stands first in the merit list of the selected candidates as per standards applicable to UR category. But the results of Kumbakonam Postal Division is kept pending due to interim order granted by this Tribunal in OA 64/2017. The applicant in OA 64/2017, a OBC candidate, competed for UR vacany but failed to secure minimum qualifying marks in Part C of Paper I and thereafter she was allowed to appear for Paper-II only on the interim directions granted by this Tribunal.

3. According to the applicant, there is no stay of her proceedings and there is no impediment in appointing the applicant who is qualified and come up in merit list.

4. The counsel for the respondents Mr.R.S.Krishnaswamy had filed a short reply and would submit that the applicant in OA 64/2017 has not secured the cut off marks in Paper I for UR category.

5. In view of the limited submission and considering the fact that the applicant is eligible for appointment in the vacant post coming under UR category, the respondents are directed to appoint the applicant in the vacant post if he is eligible for the appointment otherwise.

6. The authority will make it clear that the appointment given will be subject to outcome of OA 64/2017.

7. OA is disposed of as above.

**(T.JACOB)
MEMBER (A)**

04.12.2019

M.T.

**(P.MADHAVAN)
MEMBER (J)**