

**HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

WRIT PETITION No.15620 of 2018

ORDER: (Oral)

(Per Hon'ble Sri Justice Suresh Kumar Kait)

Vide the present petition, the petitioners have challenged the order dated 31st May 2016 passed in O.A.No.1142 of 2014 by the Central Administrative Tribunal, Hyderabad Bench, whereby, the application filed under Section 19 of the Administrative Tribunals Act assailing the Memo No.PF/GDSMD-MC/Reddivaripalle BO/Dlgs, dated 12th September 2014, has been allowed.

2. Brief facts of the case are that the Inspector of Posts, Piler Sub-Division, Piler issued notification dated 13th June 2012 inviting applications for filling up the vacancies of GDSMD/MC, Reddivaripalle Branch Post Office account with Kallur S.O. The respondent herein participated in the process of selection and stood 2nd in the order of merit. He was considered for appointment as GDSMD/MC vide Memo dated 8th August 2012, since the 1st meritorious candidate declined the offer of appointment. He joined duty on 9th August 2012. After his appointment, two annual inspections were conducted in 2012 and 2013. He was awarded commendation certificates by the Superintendent of Post Offices, Tirupathi Division.

3. While so, the Inspector of Posts, Piler Sub-Division/petitioner No.5 herein, issued Memo dated 12th September 2014, proposing to

terminate the respondent from service. Being aggrieved, the respondent herein filed O.A.No.1142 of 2014.

4. Case of the respondent herein before the Tribunal was that the basis for issuance of impugned termination Memo was the complaint of one Garuda Reddy. According to the complainant, the claim of one N.Shankar, who secured highest marks of 385, had been ignored in the selection process. In the reply filed by the petitioners herein before the Tribunal, it was specifically stated that as the application of N.Shankar was defective, his candidature was not considered for appointment.

5. Since the candidature of N.Shankar, who secured highest marks was rejected, the respondent, who was the 2nd meritorious candidate, was given appointment. Therefore, the learned Tribunal has rightly set aside the Memo No.PF/GDSMD-MC/Reddivaripalle BO/Dlgs, dated 12th September 2014.

6. We find no ground in the present petition and in the submission of the counsel for petitioners.

7. Accordingly, the writ petition is dismissed with no order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

SURESH KUMAR KAIT, J

ABHINAND KUMAR SHAVILI, J

6th June 2018
ajr