



HIGH COURT OF ANDHRA PRADESH
FRIDAY ,THE TENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY ONE

PRSENT

THE HONOURABLE SRI JUSTICE AHSANUDDIN AMANULLAH
THE HONOURABLE DR JUSTICE K MANMADHA RAO
WRIT PETITION NO: 15950 OF 2021

Between:

1. Union of India, represented by
Its Secretary to Government of India, Ministry of Communications and
I.T., Department of Posts - India,
Dak Bhavan, Sansad Marg,
New Delhi - 110001
2. The Chief Postmaster General, A.P.Circle, 'Dak Sadan',
Abids, Hyderabad - 500 001.
Presently at Krishnalanka, Vijayawada-520013
3. The Superintendent of Post Offices, Proddatur Division, Proddatur -
516360.

...PETITIONER(S)

AND:

1. Gandikota Ramesh Reddy S/o G.Krishna Reddy,
Aged about 34 years,
R/o Tappetla village and Post,
Vallur Mandal,
YSR Kadapa District - 516293.
Proddatur Division.

...RESPONDENTS

**Counsel for the Petitioner(s): HARINATH N (ASST SOLICITOR
GENERAL)**

Counsel for the Respondents:

The Court made the following: ORDER



which the petitioners have been directed to finalize the selection, if already not done, with regard to appointment on the post of Gramin Dak Sevak Branch Post Master for Tappetla village, Kadapa district, by choosing a candidate within the panel that is prepared on the basis of the marks obtained by the candidates, without taking recourse to fresh notification.

3. Learned counsel for the petitioners submitted that the post of Gramin Dak Sevak Branch Post Master (GDS BPM), Tappetla village, Kadapa district, became vacant in the year 2011 on account of promotion of the incumbent and thus notification was issued on 27.07.2011 inviting applications. However, it was submitted that the selection could not materialize and thus another notification was issued on 03.04.2012, which also could not fructify leading to a third notification being issued on 09.11.2012, in which, 5 candidates were selected but none could be finally appointed. It was submitted that the respondent/applicant in O.A. No.020/00083/2014 was not among the 5 selected candidates and thus his case was not considered. Learned counsel submitted that even after 2012, there was another notification on 19.01.2016 but due to interim order in the said OA, dated 04.05.2016, the process could not be taken forward. Learned counsel submitted that the Tribunal has held that on the narration of facts in the counter affidavit it cannot be said that any injustice was done to the applicant but still has directed to fill up the post on the basis of panel prepared in the transaction of the year 2012 without resorting to fresh notification, which is against the settled principles of law. It was contended that the respondent did not



figure in the selected candidates and thus could not have been considered and further that due to efflux of time the process had begun afresh and would have been completed but for the interim stay granted by the Tribunal. It has further been contended that till date there has been no appointment on the post in question. It was submitted that the petitioners propose to finalize the said selection within the shortest possible time by issuing fresh notification in addition to the notification issued on 19.01.2016 so that all eligible persons as on date can apply and take part in the process as also to increase the chances of there being somebody finally selected.

4. Though notice was issued and validly served on the respondent but nobody has appeared on his behalf when the matter was taken up.

5. Having considered the matter, the Court finds that the directions contained in the order of the learned Tribunal cannot be sustained. Once, on the one hand the Tribunal has held that it is not a case of injustice caused to the respondent, any direction for selecting the candidate from the panel prepared on the basis of the marks obtained in the transaction of the year 2012, obviously is not sustainable. Further, the life of the panel itself being one year, almost after 9 years, the same cannot be given effect to, moreso in the background of the fact that the respondent was not even in the panel prepared and was just one of the persons who had applied pursuant to the notification dated 09.11.2012 and may have also been awarded certain marks, but it cannot be said that he was in the panel of selected candidates. Learned counsel submitted that,



as it is, for one post, the panel consisted of 5 candidates, which is more than sufficient and there was no occasion for the said panel to be further increased, that too, after almost 7 years when the order came to be passed on 28.11.2019.

6. For reasons aforesaid, the writ petition is allowed and the order dated 28.11.2019 passed in Original Application No.020/00083/2014, is set-aside. However, the Court would observe that the process for appointment on the said post is required to be expedited and the same be completed latest within four (4) months from today. No order as to costs.

7. Miscellaneous Applications, if any pending, also stand disposed of.

(AHSANUDDIN AMANULLAH,J)

(Dr. K. MANMADHA RAO,J)

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