

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/594/2014

HYDERABAD, this the 21st day of January, 2020

Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member



T. Srinivasa Rao,
S/o. Late Laxminarayana,
Aged about 52 years,
Occ: Group D (Officiating),
Ongole Head Post Office,
Prakasham District.

... Applicant

(By advocate: Dr. A. Raghu Kumar)

Vs

1. The Union of India rep. by its
Secretary,
Department of Posts, Dak Bhavan,
Sansad Marg,
New Delhi ó 1.
2. The Chief Postmaster General,
A.P. Circle, Dak Sadan,
Hyderabad ó 1.
3. The Superintendent of Post Offices,
Ongole Division, Ongole,
Prakasham District.
4. The Postmaster HSG-I,
Ongole Head Post Office,
Ongole,
Prakasham District.

... Respondents

(By advocate: Mr. M. Venkata Swamy,
Addl. CGSC)

ORDER (ORAL)

Hon'ble Mr. Ashish Kalia, Judl. Member



The instant O.A. is filed seeking the following relief(s):

õ to declare the action of the respondents in proposing to terminate his officiating arrangement as Group-D on the guise of his crossing the 53 years of age as on 10.06.2014 in which he has been working since more than 3 years as per his seniority in the cadre of GDS employee on the sole ground that the applicant has crossed 53 years as illegal, arbitrary and violative of catena of judgements of this Hon'ble Tribunal and consequently declare that the applicant is entitled for appointment to the post of Group-D/ Postman in preference to the juniors taking into consideration the relaxation as applicable to the OBC in the interest of justice.ö

2. The brief facts of the case are that the applicant is initially employed as Extra Departmental Letter Box Peon on 1.8.1981 at Ongole HPO. He worked as such till 2010. Thereafter he was ordered as substitute arrangement in the Group-D leave vacancy in Ongole. His name figured at Sl.No.301 in the seniority list of GDS officials of Prakasam Division as on 1.7.2009. As he belongs to OBC, he is entitled for three years of age relaxation for regular employment as Group-D or Postman. The grievance of the applicant is that by 10.06.2013, he is crossing the age of 53 years, which is the upper age limit for appointment to the post of Group-D or Postman on regular basis, the respondents are contemplating reversion of the applicant to GDS w.e.f. 10.06.2014 and fill the post through another substitute. It is submitted that this subject matter has been dealt by this Tribunal in several OAs and the consistent view of this Tribunal has been that the respondents cannot terminate the officiating arrangement of GDS employees as Postman on the sole ground that he has crossed the upper age limit of 53 years and fill the post through another substitute as this upper age limit is not applicable

to the officiating arrangement. Learned counsel for the applicant relied upon the order of the Tribunal dated 21.10.2019 in OA/20/775/2013.

3. Notices were issued and the respondents filed reply stating that the age limit for appointment of GDSs shall be 50 years as on 1st January of the year of vacancy, relaxable for those belonging to SC/ ST by 5 years and for OBC category by 3 years. It is submitted that the said recruitment rules have to be followed even for filling up of the vacancies on ad hoc/ substitute arrangement basis in Postman/ MTS (erstwhile Group-D) cadre. It is further submitted that by virtue of the interim order passed by this Tribunal on 10.06.2014, directing not to terminate the applicant's officiating arrangement as Group-D, the applicant is being continued as paid substitute in the vacant post of Group-D (MTS), Ongole HO as on date.

4. Heard Mr. B. Pavan Kumar, learned counsel for the applicant and Mr. M. Venkata Swamy, learned counsel for the respondents at length.

5. In the circumstances, the applicant will make a detailed representation within three weeks from the date of receipt of this order and the respondents may dispose of that in the light of the decision in O.A. No.775/2013, within eight weeks thereafter. Till then, status quo shall be maintained. If no representation is made within time, interim order shall stand vacated after three weeks.

6. With the above observations, the O.A. is disposed of. No order as to costs.

(B.V. SUDHAKAR)
ADMN.MEMBER

(ASHISH KALIA)
JUDL. MEMBER

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