

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/1491/2014

HYDERABAD, this the 6th day of January, 2021

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



D. Shankaraiah, S/o. D. Muthyalu,
aged about 29 years,
R/o. Thoratpally Village & BO,
Narayanpur SO – 508 253,
Nalgonda Division.

...Applicant

(By Advocate : Sri M. Venkanna)

Vs.

1. The Union of India rep. by its Secretary, Government of India, Ministry of Communications and I.T., Department of Posts - India, Dak Bhawan, Sansad Marg, New Delhi – 110 001.
2. The Chief Postmaster General, A. P. Circle, Abids, Hyderabad - 500 001.
3. The Director of Postal Services, Hyderabad Region, O/o. The Postmaster General, Hyderabad Region, Hyderabad – 500 001.
4. The Superintendent of Post Offices, Nalgonda Division, Nalgonda – 508 001.

....Respondents

(By Advocate: Smt. K. Rajitha, Sr. CGSC)

ORAL ORDER
(As per Hon'ble Mr. B.V. Sudhakar, Administrative Member)

Through Video Conferencing:

2. The OA is filed seeking a direction to the respondents to issue appointment order to the applicant, consequent to his selection as GDSBPM Golankonda BO.



3. Brief facts of the case are that the applicant while working as GDS in the respondents organization was removed from service on 23.9.2010. Thereafter, respondents issued a notification on 7.2.2013 for filling up the post of GDS BPM Golankonda Branch Post Office and he was selected based on merit on 19.3.2013. The applicant submitted a representation on 27.9.2013 for issue of appointment letter. Later, respondents filed a criminal complaint against the applicant which was registered as Crime No.86 of 2014. Aggrieved for not issuing the appointment order, the OA is filed.

4. The contentions of the applicant are that he was selected as GDS Branch Postmaster of Golankonda Branch Post Office on the basis of merit. Removal from service is no bar to apply for re-employment and that the respondents have filed the criminal complaint on the same charges as were framed in the departmental case wherein he was imposed with the penalty of removal.

5. Respondents in the reply statement state that they have issued the notification for filling up the post of GDS Branch Postmaster of Golankonda Branch Post Office and that the applicant was selected on 19.3.2013. The mandatory pre-verification of Character and antecedents is pending with the Collector & District Magistrate, Nalgonda and therefore, the appointment letter could not be issued. While reviewing the fraud and loss cases, the pending aspect was to lodge a police complaint against the applicant in respect of SB/RD frauds committed by him while working as GDS in the past and it was registered under Crime No. 86 of 2014.

6. Heard both the counsel and perused the pleadings on record.

7. I. There is no dispute that the applicant was selected as GDS branch Postmaster, Golankonda Branch Post Office on 19.3.2013. Respondents have to get the character and antecedents of the applicant verified before the issue of the appointment order. The verification is pending with the Collector, Nalgonda District and therefore, the appointment order could not be issued. It is surprising that the verification is pending since the last 6 years. The Ld. applicant counsel has submitted that the selected candidate is allowed to work in the identified post pending verification of character and antecedents after taking a legally valid undertaking from the selected candidate to the extent that the appointment is subject to verification.

II. In view of the above, respondents are directed to get the verification referred to, completed within 4 months from the date of receipt of this order and based on the outcome thereof, necessary action be taken.



III. With the above direction, the OA is allowed to the extent indicated. No order as to costs.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

/al/evr