

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH :: AT HYDERABAD**

OA/021/00418/2020



HYDERABAD, this the 12th day of August, 2020.

**HON'BLE MR.ASHISH KALIA : JUDICIAL MEMBER
HON'BLE MR.B.V.SUDHAKAR : ADMINISTRATIVE MEMBER**

Ch. Vijaya Gopal, S/o. Krishna Murthy, aged 57 years,
Joint Manager (Group –B),
Speed Post Centre, National Sorting Hub,
Begumpet, Hyderabad – 500 016.

(By Advocate : Applicant In person)

...Applicant

Vs.

1. Union of India, Rep. by the Secretary,
Department of Posts, Dak Bhawan,
Sansad Marg, New Delhi – 110 001.
2. The Chief Postmaster General,
Telangana Circle, Hyderabad -1.
3. The Postmaster General, HQ Region,
Abids, Hyderabad – 500 001.
4. Smt. T.M. Sreelatha, Reviewing Officer &
Former Director of Postal Services,
O/o. Postmaster General, HQ Region,
Abids, Hyderabad – 1.
5. Dr. Sri V. Upendra, Reviewing Officer &
Former Director of Postal Services,
O/o. Postmaster General, HQ Region,
Abids, Hyderabad – 1.
6. Sri A. Subrahmanyam,
Reporting Officer & Former Sr. Supdt. RMS,
Hyderabad Sorting Division, Hyderabad – 500027.

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

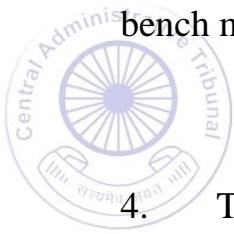
....Respondents

Oral Order**(As per Hon'ble Mr. B.V. Sudhakar, Administrative Member)****Through Video Conferencing**

2. The OA is filed against the action of the respondents 4 to 6 in preparation of APARs of the applicant for the years 2015-16 and 2016-17 with below benchmark grading and the inaction of the respondents 1 to 3 in not granting the relief sought by the applicant in his representation dt. 4.4.2019.

3. The applicant worked as Assistant Superintendent of Post Offices in Hyderabad Sorting Division during the year 2015-16 and 2016-17. He claims that as per para 5.2 of the Brochure on preparation and maintenance of APAR, the respondents 4 to 6 have forfeited their right to make entries in the APARs of the applicant for the years under reference. Applicant specifically submits that right of the respondents 6 & 4 for making entries in APAR for the year 2015-16 expired on 30.06.2016 and 31.08.2016 respectively. However, the said respondents have completed the APAR after 23.11.2016 and 14.09.2017 respectively. They communicated the below bench mark grading of 4 on 23.06.2018. The minimum bench mark required for promotion to the next level of Group B cadre is 6. Similarly, the 6th and 5th respondents have forfeited their right to make entries in the APARs of the applicant for the year 2016-17 after 30.06.2017 and 31.08.2017 respectively. However, the 6th respondent completed writing the APAR in June 2018 and that too, after he ceased to be the Reporting Officer on his transfer in the month of May 2017 from the post of Sr.

Superintendent RMS, Hyderabad Sorting Division. 5th respondent completed writing APAR on 18.06.2018 and communicated the below bench mark grading of 4.8 on 23.06.2018.



4. The main contention of the applicant is that the respondents 4 to 6 have exercised powers, which are against the Rules. This action of the respondents has adversely impacted his promotion to the next level. Applicant has also referred to certain other rules in regard to the writing of the APARs which, he claims, have been violated by the respondents. He submitted a representation on 04.04.2019 to the respondents raising relevant grounds. Applicant is aggrieved that the representation has not been disposed of till date. Further contention of the applicant is that the respondents 4 to 6 have written his APAR though they were not eligible to write the same as per the APAR Rules. He has brought the same to the notice of the concerned respondents through his representation dt. 04.04.2019. The respondents are sitting on the representation without disposing till this date.

5. Heard the applicant who appeared in person and the learned Senior Standing Counsel for the respondents and perused the material on record.

6. The applicant, appearing in person, prayed for disposal of his representation dt. 04.04.2019. This is a fair request and therefore, we direct the respondents to dispose of the representation of the applicant cited, by issuing a speaking and reasoned order, within a period of 6 weeks from the date of receipt of this order.

7. With the above direction, the OA is disposed of, at the admission stage. No order as to costs.



(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

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