

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/20/582/2014

HYDERABAD, this the 6th day of March, 2020

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. B.V. Sudhakar, Admn. Member



P. Ramachandrudu,
S/o. P. Guruvaiah,
Aged about 51 years,
Now working as Deputy Postmaster (SB),
Head Post Office, Adoni
under Kurnool Postal Division,
Kurnool.

... Applicant

(By Advocate: Mr. K. Venkateswara Rao)

Vs.

1. The Superintendent of Post Offices,
Kurnool Division, Kurnool.
2. The Postmaster General,
Kurnool Region, Kurnool.
3. The Director of Postal Services,
O/o. The Post Master General,
Kurnool Region, Kurnool.
4. The Chief Post Master General,
A.P. Circle, Hyderabad ó 500 001.
5. The Union of India rep. by
The Secretary & Director General,
Dept. of Posts, Dak Bhavan,
New Delhi ó 110 001.
6. M. Suneetha Devi, Wo. Not known,
Aged about 44 years, at present as Postmaster,
HSG-I, Pulivendala Head Post Office,
Cuddapah District.
7. Sri T. Bhaskar Naidu, So. Not known,
Aged about 50 years, at present working as Postmaster,
Chittoor Head Post Office as HSG-I.

... Respondents

(By Advocate: Mr. T. Hanumantha Reddy, Sr. PC to CG, through
Smt. C.Vijaya Lakshmi)

ORDER (ORAL)**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman**

The applicant was working as Deputy Postmaster in the A.P. Circle of Postal Department. He was issued a charge memo dated 06.04.2011, with certain allegations. The DPC, for promotion to the post of HSG-I, met on 16.05.2013. Though the applicant was within the zone of consideration, the sealed cover procedure was adopted, on the ground that charge memo was issued to him.

2. It is stated that the Disciplinary Authority passed an order on 07.09.2010, directing recovery of a sum of Rs.4,21,025/- from the applicant. In the appeal, the matter was remanded, but the Disciplinary Authority passed an order on the same lines once again. This O.A. is filed, with a prayer to declare that the applicant is entitled to be promoted to the post of HSG-I w.e.f. 17.01.2014, the date on which, his immediate junior Mrs. M. Suneetha Devi was promoted, with all consequential benefits. The applicant contends that several vacancies are existing, and the imposition of minor penalty should not come in the way of his being considered for promotion to the post of HSG-I.

4. The respondents filed a reply, opposing the O.A. It is stated that the sealed cover procedure was adopted in the case of the applicant, since charge memo was pending at the relevant point of time, and once the penalty was imposed, the question of opening the sealed cover, much less, promoting the applicant to the post of HSG-I, does not arise.

5. Heard Sri K. Venkateswara Rao, learned counsel for the applicant and Smt C. Vijaya Lakshmi representing Sri T. Hanumantha Reddy, learned counsel for the respondents.



6. The facts are borne out of record. The applicant was issued a charge memo on 06.04.2011, and the DPC met thereafter. Obviously for that reason, sealed cover procedure was adopted. The occasion for opening the sealed cover would have arisen, had the applicant been exonerated in the disciplinary proceedings. It is not in dispute that he was imposed the penalty of recovery of a sum of Rs.4,21,025/-. Though the appeal was allowed, and the matter was remanded, same punishment ensued. As of now, the O.A. challenging the order of recovery, is pending before this Tribunal. Unless the applicant is exonerated in the disciplinary proceedings, the question of opening the sealed cover, does not arise.

7. We do not find any merit in the O.A. and accordingly it is dismissed. There shall be no order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMN.)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN

/pv/