

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/00343/2015

HYDERABAD, this the 1st day of April, 2021

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



Tunuri Yosepu S/o Paramanadam,
Aged 43 years, Occ : Casual Labour,
R/o H.No.11-10-635/4, Burahanapuram,
Khammam 507 001, Telangana State.

...Applicant

(By Advocate : Mr. T L K Sharma)

Vs.

1.Union of India rep by its Secretary,
Ministry of Information and Telecommunications,
Department of Posts, New Delhi.

2.The Sub-Record Officer, (HSG-II) RMS
“Y” Division, Khammam.

3.The Superintendent, Railway Mail Service
“Y” Division, Vijayawada 520003.

4.The Postmaster General, Vijayawada Region,
Vijayawada.

5.The Chief Postmaster General, A.P. Circle,
Hyderabad.

....Respondents

(By Advocate : Mrs. Megha Rani Agarwal, Addl. CGSC)

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

Through Video Conferencing:

2. The OA is filed in regard to selection to the post of Grameen Dak Sewak and regularization of services.



3. Brief facts of the case are that the applicant joined the respondents organization as casual labour in 2008 and on 18.1.2010 he appeared in the interview for selection to the post of GDS and no action has been taken thereafter by the respondents. Besides, his services were not regularized though he worked for a long period. Aggrieved, the OA is filed.

4. The contentions of the applicant are that he has worked for a long time in the respondents organization and therefore, his services have to be regularized. In OA 809 of 2007 filed by similarly placed employees, the Tribunal directed on 5.2.2008 to examine and decide the regularization sought. The applicant case need also to be considered accordingly. Further, after the interview on 18.1.2010, not selecting him is unfair.

5. Respondents in their reply statement deny that the applicant was engaged as a casual labour. They assert that the applicant was engaged in leave vacancies as leave substitute and that too, never against an identified vacancy, but in different vacancies when the incumbents went on leave. Therefore, regularizing his service would not arise. In regard to the interview of the applicant on 18.1.2010, it is stated that he was in fact called for document verification in regard to the selection to the post of GDS and he was not selected since he was not meritorious. There was delay in

finalising the selection due to administrative reasons and court cases. In the OAs filed by similarly placed employees, the Tribunal directed to examine the regularization of services of the applicants therein, which was complied with appropriately by taking action as per rules.



6. No representation for the parties. Since the OA is of the year 2015 and the relief sought is in regard to selection as GDS pursuant to interview on 18.01.2010, we deemed it fit to adjudicate the matter to avoid further delay in the matter. Accordingly, perused the pleadings on record in detail.

7. I. The issue is about the non-selection of the applicant as GDS and regularization of his services. Facts of the case reveal that the applicant was not appointed as Casual labour and instead, was engaged as leave substitute as and when the incumbents went on leave. The applicant has not enclosed any documentary evidence to claim that he was appointed as a casual labour against a sanctioned vacancy by following the due process of selection and hence, his services cannot be regularized. Similarly placed employees did file OAs 809/2007, 754/2006, OA 1232/2003 wherein the Tribunal directed to examine the request for regularisation of the services and the same was examined and not considered as per extant rules by the respondents.

II. In regard to the second limb of the relief, the applicant was called for document verification for the 4 posts of GDS on 18.1.2010 against notification dated 5.10.2007, for which 43 others too applied. Applicant got 201 marks and stood at Sl.No.23 of the merit list. Four meritorious candidates who scored more marks than the applicant were selected. There was some delay in finalising the selection as it took some

time to examine and declare the GDS cadre in the Mail Offices as a wasting cadre and due to court cases.

III. In view of the aforesaid, there being no merit in the OA, the same is dismissed with no order as to costs.



(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

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