

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA),
Indiranagar,
Bangalore- 560 038.

Dated: 15 Oct 87

APPLICATION NO 650 /87(F)

W.P.No. —

APPLICANT

Shri Gurubasavwagond
Vs

RESPONDENTS The Superintendent
of Post Office, Bellary.

To

1. Shri Gurubasavwagond,
Branch Post Master
Harakansahalu,
Blw Harapansahalli,
Bellary Ds., Bellary.

2. The Superintendent of Post Office,
Bellary Ds., Bellary.

3. Shri M. Varadeva Rao,
Addl. Standing Counsel,
High Court Building,
Bengaluru -1.

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/STAY

INTERIM ORDER passed by this Tribunal in the above said application
on 6 Oct 87.

RECEIVED *(Signature)* 16-10-87

Diary No. 1319/CD/87

Issued Date: 16.10.87 A.M.

Encl: as above.

OC

J. A. S.
SECTION OFFICER
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANCALORE BENCH: BANGALORE

Dated, the 6th day of October, 1987

Present

THE HON'BLE MR. JUSTICE K. S. PUTTASWAMY.. VICE CHAIRMAN
And

SHRI L.H.A. REGO .. HON'BLE MEMBER

APPLICATION NO.650 OF 1987

Shri Gurubasavanagowd,
Branch Post Master,
Harakanahalu,
A/w Harapanahalli,
Bellary Dn. Bellary. .. Applicant.

(Applicant in person .. not present)

-v.s-

The Superintendent
of Post Offices,
Bellary Dn. Bellary. .. Respondent

(By Shri M.Vasudev Rao, Addl. Standing Counsel
for Central Government, for Respt.)

Application coming on for hearing
this day, VICE CHAIRMAN made the following:

ORDER

Case called on more than one occasion
in the pre-lunch and post-lunch session and finally

at



at 4 p.m. On every occasion, the applicant is absent. We have perused the papers and heard Shri M. Vasudeva Rao, learned Additional Standing Counsel for Central Government appearing for the respondent.

2. From 8-10-1963, the applicant is working as an Extra-Departmental Branch Postmaster ('EDBPM') at Harakanahalu Branch Post Office of Harapanahalli taluk, Bellary District and his service conditions are regulated by the Posts and Telegraphs Extra Departmental Agents (Conduct and Service) Rules, 1964 ('Rules').
3. When working as an EDBPM, the applicant contested for the Mandal Panchayat Election of Harakanahalu Mandal Panchayat ('Panchayat') held under the Karnataka Zilla Parishads, Taluk Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats Act, 1983, and has also been elected.
4. On his election to the Panchayat, the Superintendent of Post Offices, Bellary Division, Bellary ('Superintendent'), by his letter dated 4/5-6-1987 has called upon the applicant to tender his resignation either to the post of EDBPM or to the Membership of the Panchayat. In response to the same, the applicant has filed representations before

the Superintendent urging that he was entitled to continue as an EDBPM and also as a Member of the Panchayat at the same time, on which the Superintendent had not so far made any final order. Even before that, the applicant had rushed to this Tribunal challenging the very notice of the Superintendent.

5. Shri Rao does not dispute that the Superintendent had not so far taken a decision on the notice issued by him to the applicant.

6. As to what decision the Superintendent will take on the notice cannot be predicted by us. We are also of the view, that this is a premature application and we should decline to interfere with the notice at this stage. We, therefore, dismiss this application as premature, reserving liberty to the applicant to work out his legal remedies against the final decision/action of the Superintendent. But, in the circumstances of the case, we direct the parties to bear their own costs.



Sd/-

(K. S. PUTTASWAMY)
VICE CHAIRMAN.

Sd/-

(L. H. A. REGO)
MEMBER(A)

-True COPY-

SECTION C
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE