

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

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Commercial Complex (BDA)

Indiranagar

Bangalore - 560 038

Dated : 2 MAR 1989

APPLICATION NO (S) 1863 / 88(F)

W.P. NO (S) \_\_\_\_\_

Applicant (s)

Respondent (s)

Shri Yelagurdeppa Mulleppa Dalawai V/s The Director General (Posts), New Delhi  
To & 2 Ors

1. Shri Yelagurdeppa Mulleppa Dalawai  
Ex-Postal Assistant  
R/o Hungund - 587 118  
Hungund Taluk  
Bijapur District
2. Shri C.R. Patil  
Advocate  
No. 1272, 8th 'A' Main  
Prakashnagar  
Bangalore - 560 021
3. The Director General (Posts)  
Dak Tar Bhavan  
New Delhi - 110 002
4. The Post Master General  
Karnataka Circle  
Palace Road  
Bangalore - 560 001
5. The Sub-Post Master (LSC)  
Heggadadevanakote  
Mysore District
6. Shri M.S. Padmarajaiah  
Central Govt. Stng Counsel  
High Court Building  
Bangalore - 560 001

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of ORDER/STN/INTERX/ORDERX  
passed by this Tribunal in the above said application(s) on 23-2-89.

*By \_\_\_\_\_*  
DEPUTY REGISTRAR  
(JUDICIAL)

Encl : As above

*Yelagurdeppa Mulleppa Dalawai  
2-3-89*

*O/c*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH: BANGALORE

DATED THIS THE 23RD DAY OF FEBRUARY, 1989

PRESENT: HON'BLE SHRI JUSTICE K.S. PUTTASWAMY... VICE-CHAIRMAN  
HON'BLE SHRI L.H.A. REGO ... MEMBER (A)

APPLICATION NO. 1863/88

Yalagurdeappa Hullappa Dalawai,  
aged about 22 years, etc;  
Ex-Postal Assistant, Residing  
at and Tq. Hungund, Dist. Bijapur

... Applicant

(Shri C.R. Patil.....Advocate)

Vs.

1. The Director General (Posts)  
New Delhi.1.
2. The Post Master General  
in Karnataka,  
Palace Road, Bangalore-1.
3. The Sub-Post Master (LSG)  
Heggadadevanakote,  
Mysore Dist.

... Respondents

(Shri M.S. Padmarajaiah.....Advocate)

This application having come up for  
hearing before this Tribunal to-day, Hon'ble Shri  
Justice K.S. Puttaswamy, Vice-Chairman, made the  
following :-

ORDER

Applicant by Shri C.R. Patil, Respondents  
by Shri M.S. Padmarajaiah.

....2/2001/2010/1863/88  
CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH: BANGALORE

2. Shri Padmarajaiah has placed before us a copy of the Memo No.82-2/01gs/VI dated 1.2.1989 made by the Senior Superintendent of Post Offices, Nanjungud Division, Nanjungud (Supdt.) which shows that the applicant had been appointed as a Postal Assistant with immediate effect subject to the terms and conditions stipulated in that Memo. In terms of this order the applicant is entitled to report for duty if he has not already done so far. From this, it is clear that the substantial prayer of the applicant has been granted by the authorities themselves.

3. But Shri Patil contends that the terms and conditions imposed by the Supdt. in particular the one denying the benefit of past service is illegal and we should direct the respondents to count the past service rendered by the applicant.

Shri Padmarajaiah brought to our notice that before his termination, the applicant was working only as a short duty assistant and that service does not count for seniority. We have no reason to disbelieve this statement of Shri Padmarajaiah. If that is so then the applicant cannot claim the benefit of past service.

4. On the foregoing discussion we hold that this application is liable to be dismissed as having become infructuous. We therefore dismiss this application as infructuous with no order as to costs.

*R. Venkateswaran*

DEPUTY REGISTRAR (JD) 7/3/82  
CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

8d

VICE-CHAIRMAN 221

MEMBER (A)