

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 28-1-88

APPLICATION NO 1094 / 87(F)

W.P. NO. /

Applicant

All India Association of Inspectors
& Asst. Supdts of Post Offices,
To
Karnataka Circle

Respondent

v/s The DG, Posts, New Delhi & another

1. Shri L.V. Nagaraj
Secretary
All India Association of Inspectors
& Assistant Superintendents of Post Offices,
Karnataka Circle
No. A II/2, Postal Staff Quarters
Kaval Bylsandra
Bangalore - 560 023

2. Shri S.G. Bhat
Advocate
166, 'Srigiri'
Post Office Road
M.C.R. Extension
Vijayanagar
Bangalore - 560 040

3. The Director General
Department of Posts
Ministry of Communication
Dak Tar Bhavan
New Delhi - 110 001

4. The Post Master General
Karnataka Circle
Palace Road
Bangalore - 560 001

5. Shri M.S. Padmarajaiah
Central Govt. Stng Counsel
High Court Building
Bangalore - 560 001

Received copies vs of
Respondent 1, 3, 4 & 5
28-1-88
ASD (2), O/P Rb. B.
J. 29-1-88

RECEIVED 28/1/88

Diary No. 1648/CR/88

For Date: 29-1-88

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/STANZA/INTERIM ORDER
passed by this Tribunal in the above said application on 20-1-88.

B.P. Venkatesh
DEPUTY REGISTRAR
(JUDICIAL)

Encl : As above

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

DATED THIS THE 20TH DAY OF JANUARY, 1988

Present: Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman
and
Hon'ble Shri L.H.A. Rego, Member (A)

APPLICATION NO. 1094/1987

All India Association of Inspectors
and Assistant Superintendents of
Post Offices, Karnataka Circle,
By its Secretary Sri L.V. Nagaraj,
No.A II/2, Postal Staff Quarters,
Kaval Bylasandra,
Bangalore-23.

.... Applicant.

(Shri S.G. Bhat, Advocate)

v.

1. Government of India,
Ministry of Communications
& Department of Posts,
Represented by Director General
of Post, DAK TAR BHAVAN,
New Delhi.

2. Post Master General,
Karnataka Circle,
Palace Road,
Bangalore.

.... Respondents.

(Shri M.S. Padmarajaiah, C.G.S.S.C.)

This application having come up for hearing to-day,
Vice-Chairman made the following:

ORDER

This is an application made by the applicant under
Section 19 of the Administrative Tribunals Act, 1985
('the Act').

2. An Association called "All India Association of
Inspectors and Assistant Superintendents of Post Offices,
Karnataka Circle" is the applicant before us. The

applicant which is espousing the cause of Inspectors of the Postal Department, has challenged Letter No. 28-30/87-PE.1 dated 10.12.87 (Annexure-A) of the Assistant Director General (PE.I) withdrawing the services of orderlies attached to Inspectors and directing their employment in other offices, principally on the ground that the authority that had made the order in their favour, had not made that order and the Director General of Postal Services, who had made the order had not the competence to make that order. As this plea could not be decided without examining the original records, we had directed Shri M.S. Padmarajaiah, learned Counsel for the respondents, to produce them. Accordingly Shri Padmarajaiah had today produced the original records. We have perused them and heard Shri S.G. Bhat, learned Counsel for the applicant and Shri Padmarajaiah on the same.

3. The examination of the records produced by the respondents shows that the decision to withdraw the orderlies attached to Inspectors had been taken at the highest level by Government and the P & T Board, and had not been taken by the Director General as asserted by the applicant. If that is so, then principal ground urged by the applicant is devoid of merit.

4. As the only contention urged for the applicant fails, this application is liable to be rejected. We, therefore, reject this application. But in the circumstances of the case, we direct the parties to bear their own costs.

P. Venkatesh Rao
DEPUTY REGISTRAR (JULY 28)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

Vice-Chairman 20/1/88

Sd/-
Member (A) 20/1/88