

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
Bangalore-560038.

Dated: 6 SEP 1993

APPLICATION NO(S) 502 of 1993.

APPLICANTS: Lagemappa Balappa  
Patil

v/s. RESPONDENTS: Chief Post Master General,  
Bangalore & Others.

TO.

1. Sri.Lagamappa Baleppa Patil, Branch Post Master,  
Hanchinal Post, Hukkeri Taluk, Belgaum District.
2. Sri.G.Balakrishna Shastry, Advocate, No.8, V.S.Raju Road,  
12th Block, Next to Palace Nursing Home, Kumarepark West,  
Bangalore-560 020.
3. Sri.M.S.Padmarajaiah, Central Govt. Stng. Counsel,  
High Court Building, Bangalore-1.

Subject:- Forwarding of copies of the Order passed by  
the Central Administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the  
ORDER/STAY/INTERIM ORDER, passed by this Tribunal in the  
above said application(s) on 23rd August, 1993.

*For* *M. J. S.*  
DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

*6/9/93*

gm\*

*Issued*  
*gm*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH: :BANGALORE

DATED THIS TWENTY THIRD DAY OF AUGUST, 1993

Present: Hon'ble Shri S.Gurusankaran, Member (A)  
Hon'ble Shri A.N.Vujjanaradhya, Member (J)

APPLICATION No.502/1993

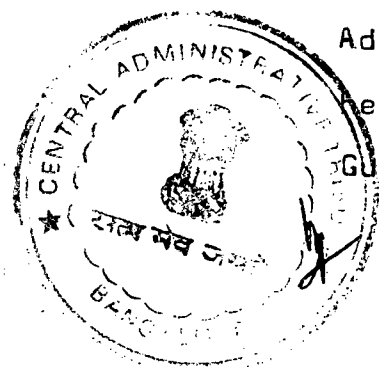
Shri Lagamappa Balappa Patil,  
aged about 29 years  
Branch Post Master,  
Hanchinal, Post  
Taluka Hukkeri,  
Dist. Belgaum  
(Shri G.B.Shastrri - Advocate)

.. Applicant

Versus

1. The Chief Post Master General,  
Dr.Ambedkar Road,  
Bangalore-560 001.
  2. The Sub-Division Inspector,  
Post Master,  
Taluka Hukkeri,  
District Belgaum.
  3. The Superintendent of Post Offices,  
Gokak Taluk,  
Dist. Belgaum.
  4. Sri Dharmaraja Talwar, Major  
Hanchinal Post  
Taluka Hukkeri,  
Dist. Belgaum.
- ... Respondents  
(Shri M.S.Padmarajiah- Advocate for R1 to R3)

This application filed under section 19 of  
Administrative Tribunals Act, 1985 having come up for  
hearing before this Tribunal today; Hon'ble Shri S.  
Gurusankaran made the following:



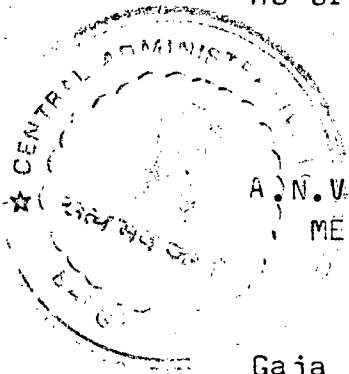
The applicant in this case is aggrieved by the termination of his services as Branch Post Master at Hanchinal with effect from 24.4.1993 and has prayed for directing the respondent not to terminate his services from the post of EDBPM Hanchinal and also to regularise his services against the post. The respondents have filed their reply contesting the application.

2. We have heard Shri G.B. Shastri for the applicant and Shri M.S. Padmarajiah for the respondents. From the records produced before us, it is clear that the applicant was appointed only on provisional basis, in view of the fact that the regular appointment of one Shri Basapuri, who was selected and appointed against the post in response to notification dated 30.4.1992 (Annexure A1) <sup>is to be</sup> was found irregular by the competent authority. In order to continue with the work, the applicant was appointed purely on temporary basis and the respondents have also produced before us the declaration given by the applicant that his appointment is purely on provisional basis and can be terminated at any time. <sup>W</sup> Thus, it is clear that the applicant was not appointed on the basis of his application for the post against the notification dated 30.4.1992. We also find from the records produced before us by the respondents that subsequent to the <sup>termination of the</sup> regular appointment of Shri Basapuri, the respondents have called for names of eligible candidates from the Employment Exchange and three persons were recommended in January, 1993. However, the applicant's name did not figure in the list of three. Out of these three

persons one Shri D.R.Talwar was selected as most suitable candidate and was appointed <sup>to provisional appointment</sup> terminating the applicant. We, therefore, find that the action of the respondents cannot be faulted.

3. However, the learned counsel for the applicant submits that the applicant had also registered his name in the Employment Exchange as early as in 1985 and has renewed the same in 1988, 1991 and in 1992. Hence, the Employment Exchange should have forwarded his name also, so that his name also could have been considered along with others. He, further submitted by producing a copy of Employment Exchange registration card that he belongs to ST and the Post Office is situated actually in his own house. Be that as may be, since the applicant has not impleaded the Employment Exchange and agitated for non recommendation of his name by the Employment Exchange for this selection and the selection has been concluded, We find that we cannot give any relief to the applicant. However, since his name is still registered in the Employment Exchange, it is for the applicant to approach the Employment Exchange to find out the reasons for not recommending his name and set right the matter, so that he will be called for the next time.

4. In view of the above, we find no merit in this application and accordingly we dismiss the same with no orders as to cost.



A. N. VUJJANARADHYA  
MEMBER (J)

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SECTION OFFICER

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BANGALORE

S. BURUSANKARAN  
MEMBER (A)

6/9/93