

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560 038.

Dated:- 18 APR 1994

APPLICATION NUMBER: 729 of 1993.

APPLICANTS:

Sri.T.Thimmarayappa
To..

RESPONDENTS:

v/s. Chief Post Master General, Bangalore
and Others.

1. Sri.V.V.Balan, Advocate,
75, Muddappa Road Cross,
Maruthisevanagar,
Bangalore-560033.
2. The Chief Post Master General,
Palace Road, Bangalore-1.
3. Sri.M.S.Padmarajaiah, Sr. Central
Govt. Stng. Counsel, High Court Bldg,
Bangalore-1.
4. Sri.A.R.Holla, Advocate,
No.3, Sujatha Complex,
First Cross, Second Floor,
Gandhinagar, Bangalore-9.

Subject:- Forwarding of copies of the Orders passed by the
Central administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the ORDER/
STAY ORDER/INTERIM ORDER/, passed by this Tribunal in the above
mentioned application(s) on 29th March, 1994.

Issued on
18/4/94
R.

O/c

S. Chandra
for DEPUTY REGISTRAR
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE BENCH

APPLICATION NO. 729/1993

TUESDAY, DATED THE TWENTYNINETH DAY OF MARCH, 1994

Mr. Justice P.K. Shyamsunder, Vice Chairman

Mr. T.V. Ramanan, Member (A)

Shri T. Thimmarayappa
Aged 28 years
S/o. Sri K. Thammanna
No. 63, G.M. palya
New Thippasandra
Bangalore - 75

.... Applicant

(By Shri V.V. Balan, Advocate)

Vs.

1. Chief Post Master General
Palace Road, Bangalore-1.
2. Sr. Superintendent of Post Offices
Bangalore East Divn.
Bangalore-1.
3. Sub-Divisional Inspector
East sub-division III
Bangalore- 17.
4. Shri Shivakumar, EDOA
New Thippasandra P.O.,
Bangalore - 75.

..... Respondents

(By Advocates S/Shri M.S. Padmarajaiah for R-1 to 3 and
A.R. Holla for R-4)

O R D E R

(Mr. Justice P.K. Shyamsunder, Vice Chairman)

Admit.

We have heard Shri V.V. Balan, counsel for the
applicant, Shri M.S. Padmarajaiah, S.C.G.S.C. for R-1 to 3
and Shri A.R. Holla for R-4.

2. The controversy herein is about the credential
relating to the appointment of R-4, Shri Shivakumar as
Extra Departmental Delivery Agent of Thippasandra Village

Post Office. The applicant claims that his credential for being appointed as EDDA were superior to that of Shivakumar. He also claims that Shivakumar did not belong to the village of Thippasandra and whereas he is a native of Thippasandra village.

3. The controversy is about the nativity aspect, in that, whether the applicant and Shivakumar did belong to the village of Thippasandra which is a chief qualifying factor for appointment as EDDA. We are told by the learned Standing Counsel that the department is now doubting the credential of respondent no.4, Shivakumar, being an ordinary resident of Thippasandra. They are said to be holding an enquiry in that connection. Be that as it may, we think it appropriate to clear this tangle by directing the department to hold a fresh interview confined to only the applicant and the 4th respondent at which both of them will produce material proof in regard to the nativity aspect in that they will have to prove that they do belong to Thippasandra village. The department will thereafter pass an order in accordance with law. Accordingly, this application is disposed of finally. Fresh interview and all other proceedings to be conducted and concluded within 3 months from the date of receipt of a copy of the order by the department. Till such time a fresh interview is ordered to be held, R-4 will continue to discharge the duties of EDDA at the Thippasandra village post office.

4. We place on record the written statement filed by the applicant regarding the deletion of his name from his