

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

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

Dated:- 15 SEP 1994

APPLICATION NUMBER:

638 of 1994

APPLICANTS:

Sri.M.V.Narayanaswamy v/s. The Post Master General, Karnataka,
To. and three Others.

RESPONDENTS:

1. Sri.M.Madhusudhan, Advocate,
No.844,Upstairs,17th-G-Main,
Fifth Block,Rajajinagar,
Bangalore-560010.
2. The Superintendent of Post Offices,
Kolar Division, KOLAR.
3. Sri.G.Shanthappa, Addl.C.G.S.C.
High Court Bldg, Bangalore-1.
4. Sri.S.K.Mohiyuddin, Advocate,
No.11,Jeevan Buildings,
Kumara Park East, Bangalore-2.

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 Second September, 1994.

Issued on

15/9/94

of *Se Shanthi, slp*
for DEPUTY REGISTRAR
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

ORIGINAL APPLICATION No.63/1994

FRIDAY, THIS THE 2ND DAY OF SEPTEMBER, 1994

SHRI JUSTICE P.K.SHYAMSUNDAR .. VICE CHAIRMAN

SHRI T.V. RAMANAN .. MEMBER (A)

Sri M.V. Narayanaswamy,
S/o Sri Munivenkatappa,
aged about 28 years,
Extra-Departmental Delivery Agent,
Doddaganjuru PO, Chintamani Tq.,
Kolar District.

... Applicant

(By Advocate Shri M. Madhusudhan)

Vs.

1. The Post Master General
in Karnataka,
Bangalore - 560 001.

2. The Superintendent of
Post Office, Kolar District,
Kolar.

3. The Sub-Divisional Inspector (Postal),
Chintamani Sub-Division,
Chintamani.

4. V. Manjunatha,
S/o. Sri Venkatappa,
Ex-EDDA, Doddaganjur PO,
Via Chintamani, Kolar District. ... Respondents

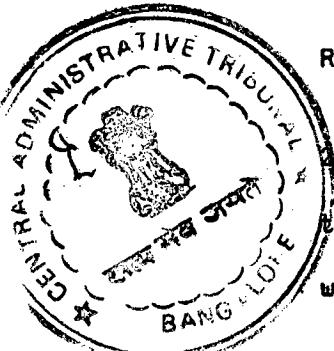
(By Advocate Shri G. Shanthappa, Central
Govt. Addl. stg. Counsel for R1 to 3 and
Shri S.K. Mohiyuddin for R-4.)

ORDER

Shri T.V. Ramanan, Member (A) :

We have heard the learned counsel for the applicant,
Respondents No.1 to 3 and Respondent No.4.

R-4, Shri Manjunatha, had been appointed provisionally
to the post of E.D.D.A. at Doddaganjur. Subsequently, Shri Manjunatha
was not selected for the aforesaid post regularly for unsatisfactory



work and the applicant was selected for the post. Aggrieved by this, R-4 approached the Assistant Labour Commissioner for conciliation proceedings. The failure report was sent to the Central Government. The Central Government referred the dispute for adjudication by the Central Govt. Industrial Tribunal, Bangalore. The Tribunal, in its award, directed R-1 to reinstate R-4 and directed that he should be reinstated as E.D.D.A. forthwith. In the meanwhile, the department had filled up the post of E.D.D.A., Doddaganjur on a regular basis by appointment of the applicant, who now does not want to be replaced by R-4 from Doddaganjur.

3. After hearing the arguments for some time, the learned Standing Counsel for Rs 1 to 3 offered to post the applicant as E.D.B.P.M. at a nearby Branch Post Office. Three existing vacancies of E.D.B.P.M. in the following Branch Post Offices were suggested, viz., Anagur, Tanka and Nangli and they would have no objection for posting him as E.D.B.P.M. at any of these places. Learned counsel for the applicant, after taking instructions from the applicant, who is also before us today, agreed to the applicant being shifted from Doddaganjur to Tanka as E.D.B.P.M.

4. In the light of the offer made by the department and the acceptance on the part of the learned counsel for the applicant after getting instructions from his client, we direct Rs. No. 1 to 3 to issue necessary orders posting the applicant as E.D.B.P.M., Tanka Branch Post Office of Kolar Division within one month from the date of receipt of a copy of this order by R-2. It would be open to the applicant in future to make a representation asking the department to post him to any place nearer to Doddaganjur. The department may consider such a request as and when it is made.

5. This application is disposed of as above. No order as to costs.

Sd/-

miss
(T.V. RAMANAN)
MEMBER (A)

Sd/-

(P.K.SHYAMSUNDAR)
VICE CHAIRMAN

TRUE COPY



S. Shambhu
Section Officer
Central Administrative Tribunal
Bangalore Bench
Bangalore