

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

~~NEW DELHI~~Hyderabad
M.A. No. 569/89 2572/P9
andO.A. No. 21/89,
~~E.A. No.~~

198

DATE OF DECISION

30/10/89

Petitioner

Advocate for the Petitioner(s)

Versus

Respondent

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr.

B. N. Jyotsimha Hve

The Hon'ble Mr.

J. N. Murthy, Hve

1. Whether Reporters of local papers may be allowed to see the Judgement? No
2. To be referred to the Reporter or not? No.
3. Whether their Lordships wish to see the fair copy of the Judgement? No
4. Whether it needs to be circulated to other Benches of the Tribunal? ~

(B.N.)

(J.N.)

26

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

O.A.NO. 21 of 1989

Date of Order: 30-10-1989

Golivindala Police .. Applicant
Versus

M.Viswanathan .. Respondents
and others

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For Applicant: Sri B.Nageswara Rao

For Respondents
no.2 : Sri Ashok Kumar, Standing Counsel

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C O R A M:

HON'BLE SHRI B.N.JAYASIMHA: VICE CHAIRMAN

HON'BLE SHRI J.N.MURTHY: MEMBER (JUDICIAL)

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M.A.NO.569/89 (For Condonation) and M.A.572/89 (For Restorati

M.A.Nos. 569 and 572/89 are ordered and O.A.No.21/89
is restored to file.

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O.A.NO. 21 of 1989:

(Judgment delivered by Shri B.N.JAYASIMHA, Vice Chairman)

1. This is an application from an Extra Departmental Branch. Post Master, Veeraghattam Mandal, Sri-kakulam district against the termination of his services as an Extra Department Branch Post Master, Veeraghattam. The applicant states that he joined as Branch Post Master on 16-6-1987 at Bittivada in Veeraghattam Mandal in Srikakulam district. He is a Scheduled Tribe. No appointment order was given to him.

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Suddenly on 26-10-1988, the Sub-Divisional Inspector (Postal) Palakonda Sub Division forcibly pushed out the applicant and got the charge of the office handed over to a forward caste man, the 1st respondent herein. No order of removal was served on the applicant. On 15-11-1988, the applicant sent representation to the Superintendent of Post Offices, Parvathipuram, and the 2nd respondent herein, asking for a copy of the order of removal and the letters were acknowledged by them on 17-11-1988. No orders of removal were issued till day. The applicant states that the order of removal is irregular and therefore he filed this application.

2. The respondent no.1 has filed this counter, but he is not represented before us.

3. We have heard the learned counsel for the applicant and Shri Ashok Kumar, Standing counsel for respondent no.2.

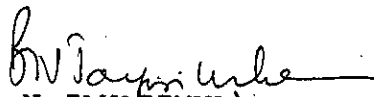
4. The learned counsel for the respondent no.2 has placed before us the relevant file and states that the applicant was appointed on a provisional basis. Applications were called for through a local notification dated 24-3-1988 to fill the post on a regular basis. The applicant, respondent no.1 and ~~an~~ another person applied for the post in response to the said notification. Out of the three applicants, respondent no.1 who possessed all the requisite qualifications, was selected as Branch Post Master on a regular basis. In these circumstances, the standing counsel for respondent no.2 states that there is no irregularity in the selection of respondent no.1. It is seen that the


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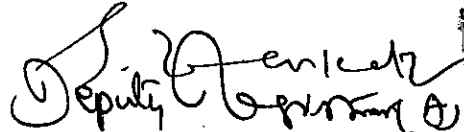
applicant himself had submitted an application in response to the notification issued calling for applications to fill up the post of Branch Post Master Bittivada, Veeraghattam Mandal, Srikakulam district, and so ^{was} aware that he was one of the persons who have applied for the post. His contention that he was regularly appointed or that he was irregularly removed are without any basis. We, therefore, do not see any merit in this application and it is accordingly dismissed. No costs.

(Dictated in open court)


(B.N. JAYASIMHA)
Vice Chairman


(J.N. MURTHY)
Member (Judl)

Dt. 30th October, 1989.


Deputy District Officer
7.11.89

SQH*

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To:

1. Sri Meduri Viswanadham, Branch post master, Bittivada Veeraghattam Mandal, Srikakulam Dist.
2. Inspector of post offices, Palakonda, Srikakulam Dist.
3. One copy to Mr. B. Nageswara Rao, Advocate, plot No. 7, S.B.H. Colony, Asmangadh, Malakpet colony, Hyderabad-36.
4. One copy to Mr. J. Ashok Kumar, SC for Postal, CAT, Hyderabad.
5. One spare copy.

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kj.

21/10/89
7/11/89

DRAFT BY

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH

HON'BLE MR. B. N. JAYASIMHA: V.C.

~~AND~~

HON'BLE MR. D. SURYARAO: MEMBER (J)

~~AND~~

HON'BLE MR. D. K. CHAKRAVORTY: M (AD.)

AND

HON'BLE MR. J. NARASIMHAMURTHY: M (J)

DATED : 30/10/89

ORDER/JUDGMENT

T.A. NO. / (W.P. No. /

O.C.A. No. 21 89.

~~Allowed~~

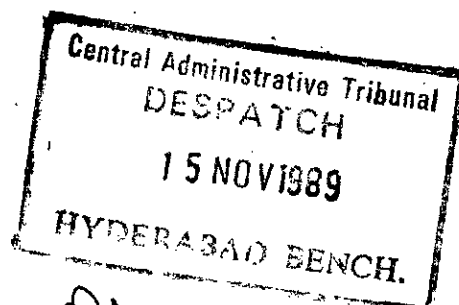
Dismissed

~~Disposed of~~

~~Ordered~~

No order as to costs.

PSR



[Handwritten signature]
21/10/89