

20

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

OA.83/90

date of decision : November 3, 92

Between

M. Abraham : Applicant

and

1. Union of India, rep. by  
the Post Master General  
AP Circle, Posts & Telegraphs  
Hyderabad

2. The Director of Postal Services  
APNE Region, Visakhapatnam

3. The Senior Superintendent of  
Post Offices, Bhimavaram Divn.  
Bhimavaram 534201  
West Godavari District

4. P.V. Bhaskar Rao  
Driver, O/o the Senior Superin-  
tendent of Post Offices,  
Bhimavaram  
West Godavari Dt.534201 : Respondents

Counsel for the applicant : A.P. Rao, Advocate

Counsel for the respondents : N.V. Ramana, Standing Counsel  
for Central Government

CORAM :

HON. MR. R. BALASUBRAMANIAN, MEMBER (ADMN.)

HON. MR. C.J. ROY, MEMBER (JUDL.)

Judgement

(Orders as per Hon. Mr. R. Balasubramanian, Member (Admn.)

This application is filed by the applicant with a prayer to declare the proceedings No.ST/33/CLIV/101, dated 25-10-89 issued by the respondents-2 as illegal.

2. The applicant was working as part-time Chowkidar and at times as part-time Jeep Driver. He filed OA.502/89, which

2

5/10/92

To

1. The Postmaster General,  
Union of India,  
A.P.Circle, Posts & Telegraphs,  
Hyderabad.
2. The Director of Postal Services  
APNE Region, Visakhapatnam.
3. The Senior Superintendent of Post Offices,  
Bhimavaram Division, Bhimavaram-201  
West Godavari Dist.
4. One copy to Mr.A.P.Rao, Advocate, 3-4-13, Dr. Bhoomannagalli,  
Kachiguda, Hyderabad
5. One copy to Mr.N.V.Ramana, Addl.CGSC.CAT.Hyd.
6. One spare copy.

pvm

3224-1  
Post Office  
Hyderabad

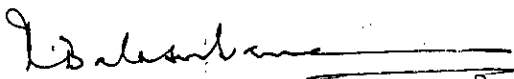
was disposed of by this Bench vide its order dated 13-6-89. The direction therein was that for filling up the vacancy of Jeep Driver, the applicant should also be considered along-with others. However, this post was not filled up by recruitment but by transferring R-4 vide impugned order dated 25-10-1989. It is against this that the applicant had filed this OA.

3. The respondents opposed the application and have filed a counter.

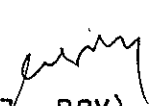
4. It is the case of the respondents that the applicant was a part-time Chowkidar and now and then his services were utilised as Jeep Driver, for which he was suitably compensated. There was no such designation as Chowkidar/Driver in the Department. It is their case that if they had conducted selection they would have considered the name of the applicant as directed by the Tribunal. They had not considered any selection for filling up the post in question but decided to fill it up by transferring a regular incumbent into the new post.

5. We have examined the case and heard rival sides. We find from the impugned order dated 25-10-89 that the transfer appears to be a request transfer. That is why it has been specifically stated that he is not entitled for any TA/TP for the transfer. We find that the respondents had filled up the post in a manner within their powers and we do not find any illegality in the order dated 25-10-1989.

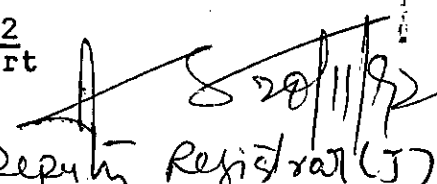
6. We accordingly dismiss the OA with no orders as to costs.



(R. BALASUBRAMANIAN)  
Member (Admn)

  
(C.J. ROY)  
Member (Judl.)

Dated November 3, 1992  
Dictated in the Open Court

  
Deputy Registrar (J)

RM  
19/11  
TYPED BY (3)

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : HYDERABAD

THE HON'BLE MR

AND

THE HON'BLE MR. R. BALASUBRAMANIAN: M(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY:  
M(JUDL)

AND

THE HON'BLE MR. C. J. ROY : MEMBER(JUDL)

Dated: 3 - 11 - 1992

~~ORDER~~ / JUDGMENT:

R.A. / C.A. / M.A. No

in

O.A. No. 83 / 90

T.A. No.

(wp. No )

Admitted and interim directions  
issued.

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default

M.A. Ordered / Rejected

No order as to costs.

