

ANNEXURE-I

List of Papers in Original Application No.

88/92

Sl.No.Of
Papers.

Date of Papers
Or
Date of Filing.

Description
of Papers.

Part I

1-5-92

Original Judgement

O.A. & Material Papers.

Counter

Reply Counter

PART - I, PART - II,


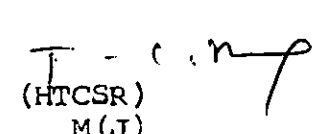
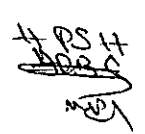
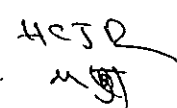
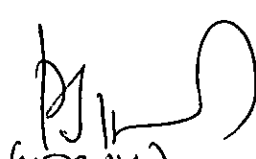
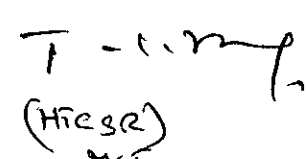
PART - III
Destroyed.

19/3-99.

OA 88792

①

Date	Office Note	Orders
		<p><u>1-5-92</u></p> <p>Application is dismissed at the admission stage. no costs judgment vide on separate sheet</p> <p>B H2BP H2BP</p> <p>Assembly H2BP H2BP 2</p>

Date	Office Note	Orders
20.3.92		<p>In this case learned counsel for the applicant Mr.S.Ramakrishna Rao has moved MA.161/92 seeking interim orders. Since we have call^{ed} for the DPC records and the case is decided^{ed} at the admission stage itself shortly there is no need for an interim order and hence direction petition MA.161/92 in OA.88/92 is dismissed as unnecessary.</p> <p>In OA we had earlier asked Mr. NR. Devra^(he was) to produce DPC proceedings^{ed} which consider the applicant's promotion by second time bound promotion scheme. He wanted further 2 weeks time. Hence list this case for admission hearing on 7.4.92.</p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  (HRBS) M(A) </div> <div style="text-align: center;">  (HTCSR) M(J) </div> </div>
7.4.92		<p>per this request on app's behalf counsel present on 10-4-92</p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  (HPSH) M(A) </div> <div style="text-align: center;">  (HCSR) M(J) </div> </div>
10.4.92		<p>Mr. S Ramakrishna Rao, Advocate for the applicant is present. DPC^{Tribunal} proceedings as directed by the^{as} per our orders dated 20-3-92 are not made available. Hence list this OA for admission hearing on 13-4-92.</p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  (HPSH) M(A) </div> <div style="text-align: center;">  (HCSR) M(J) </div> </div>




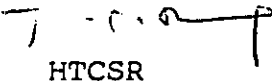

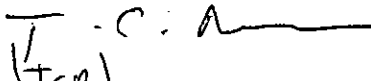
14/4

C.A. 88/92

(2)

Date	Office Note	Orders
13/4/92		on a request by Sri N.V. Ramana for Sri N.A. Devaraj, learned counsel for Respondents list this case under the same heading on 29/4/92.
24.4.92	Counter filed by Mr. NR Devaraj, Addl. CGSC on 10/4/92.	<div style="display: flex; justify-content: space-between;"> <div> <p>2)</p> <p>(HRBS)</p> <p>M(A)</p> </div> <div> <p>urthy</p> <p>(HCTR)</p> <p>M(J)</p> </div> </div> <p style="text-align: center;"><u>29-4-92</u></p>
29-4-92		<p>Mr. S. Ramakrishna Rao, learned Counsel for the applicant and Mr. N.R. Devaraj, learned Standing Counsel for the Respondents are present. Both are heard. We have seen the D.P.C. proceedings dt. 18-12-1991. Orders on admission reserved. C.A.V.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div> <p>HRBS</p> <p>M(A)</p> </div> <div> <p>HCTR</p> <p>M(J)</p> </div> </div>

o A.88/92.

Date	Office Note	Orders
		<p>likely to be retired on 30-6-92. In these circumstances we feel there is no urgency to pass orders as prayed for in this M.A.</p> <p>List this M.A. also along with O.A. as ordered earlier.</p> <p style="text-align: center;">  (HRBS) M(A)  (HC3R) M(J) </p>
9.3.92		<p style="text-align: center;"><u>9.3.92</u></p> <p>On a request by Mr. S. Ramakrishna Rao, learned counsel for the applicant, list this case for admission hearing on 13.3.1992, along with MA 161/92.</p> <p style="text-align: center;">  HRBS M(A)  HTCSR M(J) </p>
13-3-92.		<p>We direct the Respondents to present before the Bench the D.P.C. proceedings relating to the promotion in question, of the applicant. List this case, which is likely to be disposed of at the admission stage itself, for admission hearing on 20-3-92. List MA 161/92 also for orders along with main case.</p> <p style="text-align: center;">  (RBS) M(A)  (TCR) M(J) </p>

Central Administrative Tribunal

HYDERABAD BENCH

O.A. No./TA No. _____

88/1992

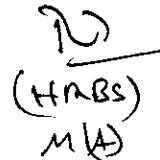
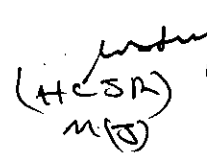
Shauk Bashir Ahmed

Applicant (s)

Versus

The Supdt. of Post Office, Nazimabad & Co. Ltd.

Respondent (s)

Date	Office Note	Orders
5-2-92.		<p>Issue notice before admission to the Respondents for filing their reply within 12 weeks with an advance copy to the learned counsel for the applicant, who may file the rejoinder, if he so chooses.</p> <p>List the case for admission on 6-3-92.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  (H.M.B.S.) M.A. </div> <div style="text-align: center;">  (H.C.S.R.) M.A. </div> </div>
10-2-92.		<p style="text-align: center;"><u>MA 161/92</u></p> <p>Counsel for the applicant filed MA 161/92 for a direction to maintain the status quo of the applicant stating that his promotion was time bound and that he is likely to be promoted on 1-3-92, after the expiry of minor penalty. The applicant fears that, who may be regularly promoted and posted may super-seede him. The O.A. is originally listed on 6-3-92.</p>

4/3

The applicant is also

(P.T.O.)

36

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.

O.A.NO. 88 of 1992.

Between

Dated : 20.3.1992.

Shaik Basheer Ahmed

...

Applicant

1. The Superintendent of Post Offices, Narasaraopet Division, Narasaraopet.
2. The Director of Postal Services, A.P. Eastern Region, Vijayawada.

...

Respondents.

Counsel for the Applicant : Sri. S.Rama Krishna Rao.
Counsel for the Respondents : Sri. N.R.Devraj, Addl. CGSC.

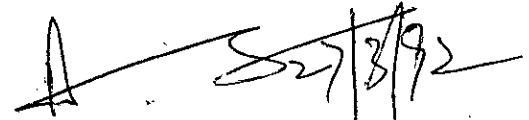
CORAM:

Hon'ble Mr. R.Balasubramanian, Administrative Member
Hon'ble Mr. T.Chandra Sekhar Reddy, Judicial Member.

The Tribunal made the following order:-

In this case learned counsel for the applicant Mr. S. Rama Krishna Rao has moved MA.161/92 seeking interim orders. Since we have called for the DPC records and the case is likely to be decided at the admission stage itself shortly, there is no need for an interim order and hence direction petition M.A.161/92 in O.A.88/92 is dismissed as unnecessary.

In OA we had earlier asked Mr. N.R.Devaraj to produce DPC proceedings that were considered the applicant's promotion by second time bound promotion scheme. He wanted further 2 weeks time. Hence list this case for admission hearing on 7.4.1992.


Deputy Registrar(Judl.)

Copy to:-

1. The Superintendent of Post Offices, Narsaraopet Division, Narasaraopet.
2. The Director of Postal Services, A.P. Eastern Region, Vijayawada.
3. One copy to Sri.S.Rama Krishna Rao, advocate, CAT, Hyd.
4. One copy to Sri. N.R.Devraj, Addl. CGSC, CAT, Hyd.
5. One spare copy.

Rsm/-

P. S. Han
22/3

O.A. 88/92

TYPED BY
CHECKED BY

COMPARED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. V.C.
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: 20/3/1992

*Post to note
the order to be posted
for admission being
on 7-4-92*

ORDER/JUDGMENT:

R.A/C.A/-M.A.No.:

in

O.A.No.

88/92

T.A.No.

(W.P.No.)

Admitted and interim directions
issued. 4 last case on 7/4/92
Allowed for admission & hearing.
Disposed of with directions.
Dismissed
Dismissed as withdrawn
Dismissed for Default
M.A. Ordered/ Rejected
No order as to costs.

Central Administrative Tribunal
DESPATCH
1-4-92
HYDERABAD BENCH

2/3

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OA 88/92

as dictated by the Hon'ble Member (Admn.)
Just placed below for kind perusal.

(HRP)

M.A.

20
29/4/92

20
29/4/92

H.M.J.II.

For posting on 21-5-92

20
29/4/92

45

Central Administrative Tribunal

HYDERABAD BENCH : AT HYDERABAD

O.A. No. 88/92

Date of Decision : 1-5-92

~~Ex No.~~

Mr. Shaik Basheer Ahmed Petitioner.

Mr. S. Ramakrishna Rao Advocate for the
petitioner (s)

Versus

SPO, Narasaraopet and another Respondent.

Mr. N.R. Devaraj, Addl. CGSC Advocate for the
Respondent (s)

CORAM :

THE HON'BLE MR. R. Balasubramanian, Member (Admn.)

THE HON'BLE MR. C. J. Roy, Member (Judicial)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?
5. Remarks of Vice Chairman on columns 1, 2, 4
(To be submitted to Hon'ble Vice Chairman where he is not on the Bench)

HRBS
M(A)

HCJR
M(J)

46

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.88 of 1992

DATE OF JUDGMENT: 1-5-92 ✓

BETWEEN:

Mr. Shaik Basheer Ahmed

..

Applicant

AND

1. The Superintendent of Post Offices,
Narasaraopet Division,
Narasaraopet.

2. The Director of Postal Services,
A.P. Eastern Region,
Vijayawada.

..

Respondents

COUNSEL FOR THE APPLICANT: Mr. S. Ramakrishna Rao

COUNSEL FOR THE RESPONDENTS: Mr. N.R. Devaraj, Addl. CGSC.

CORAM:

Hon'ble Shri R. Balasubramanian, Member (Admn.)

Hon'ble Shri C.J. Roy, Member (Judicial)

contd....

... 2 ...

JUDGMENT OF THE DIVISION BENCH DELIVERED BY THE HON'BLE
SHRI R.BALASUBRAMANIAN, MEMBER (ADMN.)

This application is filed by Mr. Shaik Basheer Ahmed against the Superintendent of Post Offices, Narasaraopet Division, Narasaraopet and another under Section 19 of the Administrative Tribunals Act with a prayer to direct the 2nd respondent to consider the applicant for promotion under second time bound promotion scheme with effect from the date his juniors were promoted with all the consequential benefits. Notice before admission was given to the respondents.

2. The respondents have filed counter opposing the admission of this OA. The applicant had made a representation on 7.1.1992 to the respondents regarding his non-promotion. It is stated in the counter filed that his representation dated 7.1.1992 was duly considered and had been rejected by the Post Master General and a reply had already been given to the official. It is also stated in the counter that the Departmental Promotion Committee which met on 18.12.1991 did not recommend his name for promotion and hence the applicant could not be promoted.

3. During the hearing, Shri S.Ramakrishna Rao, learned counsel for the applicant drew our attention to the rules by which an official undergoing the punishment of withholding of increments is not debarred from promotion. We have seen the ^{rules} ~~orders~~ on the subject

.. 3 ..

and find that while the punishment of withholding of increments is not a bar to promotion, the circumstances leading to such a punishment can be ^{taken into Consideration} ~~borne in mind~~ when the D.P.C. makes its recommendation. We have seen the D.P.C. findings dt. 18.12.91. The D.P.C. after considering the case of the applicant has not recommended his case for promotion. Under these circumstances we find that the case is not fit for adjudication and we reject the case at the admission stage. No costs.

R. Balasubramanian
(R. Balasubramanian)
Member(A).

C. J. Roy
(C. J. Roy)
Member(J).

Dated: 18 May
April, 1992.

L
Deputy Registrar(J)

7592

To

1. The Superintendent of Post Offices,
Narasaraopet Division, Narasaraopet.
2. The Director of Postal Services,
A.P. Eastern Region, Vijayawada.
3. One copy to Mr. S. Ramakrishna Rao, Advocate, CAT. Hyd.
4. One copy to Mr. N. R. Devraj, Addl. QSC CAT. Hyd.
5. One spare copy.

pvm

130/10/100
254

3
TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

THE HON'BLE MR.

V.C.

AND

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

AND

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

AND

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

Dated: 1 - 5 - 1992.

ORDER / JUDGMENT

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

In

O.A. No. 88/92

T.A. No.

(W.P. No.)

Admitted and interim directions
issued

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for Default.

M.A. Ordered/Rejected.

No order as to costs.

pvm.

