

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

DA.966/92

date of decision : 20-1-1993

Between

K.R. Venkataraji Reddy : Applicant

and

1. The Director of Postal
services,
Hyderabad Region
Hyderabad

2. The Senior Superintendent
of Post Offices,
Hyderabad South East Division
Hyderabad

3. The Asstt. Supdt. of Post Offices
o/o the Sr. Supdt. of Post Offices
Hyderabad South East Division
Hyderabad

: Respondents

Counsel for the applicant : S. Ramakrishna Rao
Advocate

Counsel for the respondents : N.R. Devaraj, Standing
Counsel for Central Govt.

CORAM :

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

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

Judgement

(As per Hon. Mr. R. Balasubramanian, Member (Admn.)

DA.966/92 is filed by Sri K.R. Venkataraji Reddy against
the Director of Postal Services with a prayer to quash the
impugned order dated 26-10-1992 issued by the Senior Super-
intendent of Post Offices, Hyderabad. ()

23

10/3

2. The applicant was appointed as EDBPM, Cherlapateli guda, vide Memo No.8.III/PF/BPM/Cherlapateli guda dated 20-1-1992, issued by the Assistant Superintendent of Post Offices, Hyderabad, in pursuance of the orders contained in the Senior Superintendent of Post Offices' letter No.BII/EDBPM/Cherlapateli guda, dated 17-1-1992. It is contended that this is a regular appointment order and not a provisional one as stated in the impugned letter dated 26-10-1992. The applicant is aggrieved that while he had been appointed on regular basis, all of a sudden he is sought to be relieved vide order dated 16-10-1992 issued by the Senior Superintendent of Post Offices, Hyderabad, wherein it is stated that "the order issued vide this office memo of even number dated 17-1-1992 communicated vide ASPOs South Sub Dn Memo No.8.III/PF/BPM/Cherlapateli guda B0 dated 20-1-92 is hereby cancelled". The applicant has filed the present OA.

3. The respondents opposed the OA and filed a counter. It is stated that the applicant is not a resident of Cherlapateli guda but is a resident of Ibrahimpatnam and the basic requirement of EDBPM is not fulfilled, ^{as} that he is not a resident of the village where the Post Office is located. When this was noticed by the Director of Postal Services it was decided to undo the irregular posting.

4. We have heard Sri S. Ramakrishna Rao and Sri N.R. Devaraj, counsel for rival sides. We have seen the letter dated 17-1-1992 pursuant to which the Asstt. Supdt. of Post Offices issued appointment order dated 20-1-1992. The order dated 20-1-1992 is also in conformity with the format of the regular order indicated in the EDBPM Rules. There is no indication whatsoever in the letter dt.17-1-1992

Q.P

200 G.C.

VO

that the appointment of the applicant should be only on a provisional basis. On the other hand, there is an indication that the appointment is on a regular basis. We have, therefore, no doubt that the appointment was done with the approval of the competent authority. At the same time when the respondents came to know about a grave irregularity or shortcoming in the selection, they should be free to take remedial measures. If they want to proceed further, they should follow the principles of natural justice and the rules prescribed.

5. Under these circumstances, we quash the order dated 16-10-1992 of the SSPO, Hyderabad South East Division, and direct the respondents to continue him in the post. The respondents are however at liberty to initiate such action as they deem fit in accordance with law. There is no order as to costs. The application is disposed of with the above observations.

R. Balasubramanian

(R. Balasubramanian)
Member (Admn)

metoy
(C.J. Roy)
Member (Judl)

Dated : January 20, 1992
Dictated in the Open Court

S.22/1/83
Deputy Registrar (J)

To

1. The Director of Postal Services,
Hyderabad Region, Hyderabad.
- sk
2. The Senior Superintendent of Post Offices,
Hyderabad South East Division, Hyderabad.
3. The Assistant Superintendent of Post Offices,
O/o the Sr. Superintendent of Post Offices,
Hyderabad South East Division, Hyderabad.
4. One copy to Mr. S. Ramakrishna Rao, Advocate, CAT.Hyd.
5. One copy to Mr. N. R. Devraj, Sr.CGSC.CAT.Hyd.
6. One spare copy.

pvm

322 PO

TYPED BY (2) COMPARED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CHECKED BY APPROVED BY
HYDERABAD BENCH

HYDERABAD

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: AT HYDERABAD

THE HON'BLE MR.

V.C.

AND

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

AND

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

AND

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

Dated: 20 - 1 - 1993

ORDER/JUDGMENT:

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

in

O.A. No. 966/92

T.A. No.

(W.P. 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.

pvm.

