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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

OA.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.)

OA.966/92 is filed by Sri KR Venkataraji Reddy against the Director of Postal Services with a prayer to quash the impugned order dated 26-10-1992 issued by the Senior Superintendent of Post Offices, Hyderabad.

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15/10/93

2. The applicant was appointed as EDBPM, Cherlapatelguda, vide Memo No.B.III/PF/BPM/Cherlapatelguda 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.8II/EDBPM/Cherlapatelguda, 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 Div Memo No.8.III/PF/BPM/Cherlapatelguda BD 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 Cherlapatelguda but is a resident of Ibrahimpatnam and the basic requirement of EDBPM is not fulfilled, <sup>as</sup> ~~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. Deva-raj, 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

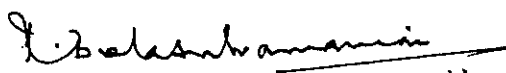
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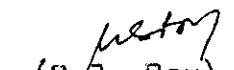
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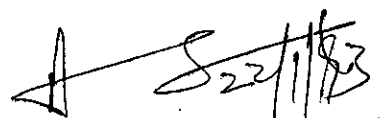
that the appointment of the applicant should be only on a provisional basis. On the other hand, there is an indication that the appointment is on a regular basis. We have, therefore, no doubt that the appointment was done with the approval of the competent authority. At the same time when the respondents 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 SSPD, 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)  
Member (Admn)

  
(C.J. Roy)  
Member (Judl)

Dated : January 20, 1992  
Dictated in the Open Court

  
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

30/1/92  
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TYPED BY

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 with drawn

Dismissed for default

M.A. Ordered/Rejected

No order as to costs.

pvm.

