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(12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

R.A.No. 67/94 in  
O.A.No. 686/92.

Dt.of Decision : 25-8-94.

1. The Supdt. of Post Offices,  
Nalgonda Division. Nalgonda.
2. The Chief Postmaster-General,  
A.P.Circle, Abids, Hyderabad.

.. Applicants/  
Respondents.

Vs

M. Hanumantha Rao

.. Respondent/  
Applicant.

Counsel for the Applicants/  
Respondents. : Mr. N.V. Raghava Reddy,  
Addl.CGSC.

Counsel for the Respondent/  
Applicant. : Mr. S.Ramakrishna Rao

CORAM:

THE HON'BLE SHRI JUSTICE V.NEELADRI RAO : VICE CHAIRMAN

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

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R.A.NO.67/94 in  
OA 686/92.

ORDERS

Dt: 25.8.94

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN)

Heard Shri N.V.Raghava Reddy, learned standing counsel for the applicants and Shri S. Ramakrishna Rao, learned counsel for the respondent.

2. The respondents in the OA filed this R.A. praying for review of the order dated 28.1.1994 in the OA.

3. It is submitted for the applicants in this RA that the period from 14.8.1984 to 14.1.1985 ie., 153 days was treated as dies non and by oversight this fact was not brought to the notice of this Tribunal at the time of consideration of the OA 686/92 and in view of this fact the applicant in the OA (respondent herein) is entitled to promotion ~~only~~ with effect from 15.1.1985<sup>only</sup> and not with effect from 14.8.1984 as referred to ~~in~~ in para-5 of the order dated 28.1.1994 in the OA. The circular No.6-2/90-SPB.II, dated 30.1.1990 is relied upon <sup>for</sup> by the applicant, in this RA wherein it is stated that, "if overall record is satisfactory except action under FR-17-A, the officials are eligible for promotion w.e.f. the due date on completion of

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16 years of service excluding the period of dies non ~~or~~ or break in service, if any." Hence, it is contended for the ~~xxxxxx~~ <sup>with R.A.</sup> applicants that the period of dies non upto 14.1.1985 has to be excluded for the <sup>computing</sup> ~~complete~~ period of 16 years referred to.

4. In view of the above, the contentions for the applicants in this RA are not seriously opposed for the applicant in the OA.

5. Hence, the date 14.8.1984 in the portion "he has to be promoted with effect from 14.8.1984 as per the Time Bound One Promotion (TBOP) scheme" in Para 5(i) of the order dated 28.1.1994 in OA 686/92 has to be deleted and substituted by 15.1.1985. The order dated 28.1.1994 in OA 686/92 is accordingly modified. This modified order has to be implemented by the end of September, 1994.

6. The RA is ordered accordingly. No costs./

(R. RANGARAJAN)  
MEMBER (ADMN.)

(V. NEELADRI RAO)  
VICE CHAIRMAN

DATED: 25th August, 1994.

Open court dictation. Deputy Registrar(J)CC

To

1. The Subdt. of Post Offices, Nalgonda Division, Nalgonda.
2. The Chief Postmaster General, A.P. Circle, Abids, Hyderabad.
3. One copy to Mr. N.V. Raghava Reddy, Addl. CGSC. CAT. Hyd.
4. One copy to Mr. S. Ramakrishna Rao, Advocate, CAT. Hyd.
5. One copy to Library, CAT. Hyd.
6. One spare copy.

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COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO  
VICE-CHAIRMAN

AND

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

DATE: 25-8-1994

ORDER/JUDGMENT

M.A.No./R.A/C.A.No. 67/94

in

O.A.No.

(T.A.No. 686/92

(W.P.No

Admitted and Interim directions  
Issued.

Allowed.

Disposed of with directions.

Dismissed

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected

No order as to costs.

pvm

