

28

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

OA No. 1058/92

Date of judgement : 23-2-93

Between

M. Narasimham  
Sub-Postmaster,  
Hanumanpura Tso : Applicant

And

1. The Superintendent of Post offices,  
Mahabubnagar Division.
2. The Director of Po tal Services,  
Hyderabad Region, Hyderabad.
3. The Postmaster General  
Hyderabad Region, Hyderabad. : Respondents

-----  
COUNSEL FOR THE APPLICANT : Shri S. Ramakrishna  
Rao

COUNSEL FOR THE RESPONDENTS : Shri N.R. Devaraj

-----  
CORAM

Hon'ble Shri N.V. Krishnan, Vice-Chairman (Admn.)  
justice  
Hon'ble Shri V. Neeladri Rao, Vice-Chairman.

-----  
(Judgement of the divn. bench delivered by Shri  
Justice V. Neeladri Rao, Vice-Chairman)

-----  
The applicant is working as Sub-Postmaster,  
Hanumanpura. He submitted representation dated 16-1-92  
to the Postmaster-General, Hyderabad Region praying  
for second Time bound promotion as on 1-10-91 as by  
then he completed 26 years of service. But without  
reference to the said representation, Postmaster-General,  
Hyderabad issued promotion order No. ST/5-3/BCR/92-93  
dated 17-11-92 giving promotion to the applicant and  
some others with effect from 1-7-92. Being aggrieved

To

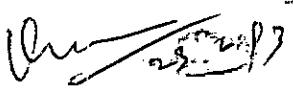
1. The Superintendent of Post Offices,  
Mahaboobnagar Division.
2. The Director of Postal Services,  
Hyderabad Region, Hyderabad.
3. The Postmaster General, Hyderabad Region,  
Hyderabad.
4. One copy to Mr.S.Ramakrishna Rao, Advocate, CAT.Hyd.
5. One copy to Mr.N.P.Devraj, Sr.CGSC.CAT.Hyd.
6. One spare copy.

pvm

Official Date  
11/3/83

this OA was filed on 30-11-92 praying for the second Time bound promotion with effect from 1-10-91 instead with effect from 1-7-92. Shri N.R. Devaraj, learned counsel for the respondents submitted that the applicant herein had given representation dated 29-12-92 praying for second time bound promotion with effect from 1-10-91 and the same was submitted to the Regional Office vide letter dated 30-12-92 and it is pending disposal for decision at the Regional office. The monetary recovery from the emoluments of the applicant is still effected in pursuance of the order of punishment <sup>by way</sup> of monetary recovery. But in the instruction dated 19-5-84 of D.G.(P&T) letter No. 35/9/84-SPB(II) it was made clear that promotion of an official can be given effect to during the currency of punishment of monetary recovery. By relying upon the same, the learned counsel for the applicant submitted that the punishment <sup>by way</sup> of monetary recovery which is still in currency is not a bar for giving the second Time bound promotion to the applicant on the date <sup>which</sup> he was due to him.

We feel it not necessary to consider the above contention for the applicant in view of the course <sup>which we</sup> they are going to adopt in the disposal <sup>of</sup> the OA. The applicant has chosen to make a representation to the concerned authority in regard to the very relief claimed in this OA after filing this OA. So it is just and proper to direct the concerned authority to dispose of his representation dated 29-12-92 by the end of June, 1993. It is needless to say that if the applicant is going to be aggrieved by the order of the concerned authority on his representation, he is free to move this <sup>Tribunal</sup> court. The OA is disposed of accordingly with no costs.



(N.V. Krishnan)  
Vice-Chairman(Admn.)

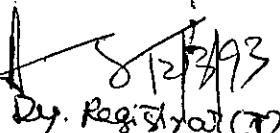


(V. Neeladri Rao)  
Vice-Chairman

(Dictated in the open court)

Dated 23rd February, 1993.

NS



8/2/93  
Dy. Registrar (M)

TYPED BY

COMPARED BY

CHECKED BY (3)

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

The Hon'ble Mr. V.V. Krishna : V.C. (A)  
THE HON'BLE MR. V. NEELADRI RAO : V.C.

AND

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

AND

THE HON'BLE MR. CHANDRA SEKHAR REDDY  
: MEMBER (J)

AND

THE HON'BLE MR.

DATED: 23/2/1993

~~ORDER~~ JUDGMENT:

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

in

C.A. No. 1058/92

T.A. No.

(W.P. No. )

Admitted and Interim directions  
issued.

Allowed

Disposed of with directions

Dismissed as withdrawn

Dismissed

Dismissed for default

Rejected/Ordered

No order as to costs.

pvm

