(28)

CAT/3/12

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD

O.A. No 525/92 198
~~T.A. No.~~

DATE OF DECISION 3.7.1992

A.Rama Rao Petitioner

Mr.K.S.R.Anjaneyulu Advocate for the Petitioners)

Versus

The Secretary to Govt. Dept. of Posts, New Delhi. Respondent

Mr. M.Jagan Mohan Reddy Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. T.CHANDRASEKHARA REDDY, MEMBER(JUDL.)

The Hon'ble Mr.

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 Judgement?
4. Whether it needs to be circulated to other Benches of the Tribunal?

MGIPRRND—12 CAT/86—3-12-86—15,000

T.C.R.
(HTCSR)
M(J)

(24)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

C.A.No. 525/92 Date of Order: 3.7.1992

BETWEEN:

A.Rama Rao .. Applicant

A N D

1. The Secretary to Govt.
   Dept. of Posts, New Delhi.

2. The Chief Post Master General,
   Hyderabad - 1.

3. The Post Master General,
   Visakhapatnam.

4. The Superintendent of Post Offices,
   Vizianagaram Division,
   VizianagaramII .. Respondents.

Counsel for the Applicant .. Mr. K.S.R.Anjaneyulu

Counsel for the Respondents .. Mr. M.Jagan Mohan Redd

Admd Case

CORAM:

HON'BLE SHRI T.CHANDRASEKHARA REDDY, MEMBER(JUDL.)

(Order of the Single Member Bench delivered b

Hon'ble Shri T.Chandrasekhara Reddy, Member(Judl.)).

--- T.C.R.

..2

This is an application filed under Section 19 of the Administrative Tribunals Act to direct the respondents to promote the applicant to the next higher grade HSG-II, in the scale of pay Rs. 1600-2600 under the BCR Scheme from the date his junior was promoted with all consequential benefits and to pass such other order or orders as may deem fit and proper in the circumstances of the case.

2. The applicant is working at present as Sub-Postmaster (L.S.G.) at Vizianagaram Division. According to the applicant he has completed 26 years of service in 1987. The officials in the cadre of Sub-Postmaster (1st) on completion of 26 years of service should be upgraded with the next higher grade automatically by virtue of acceptance of the demand for second time bound promotion on completion of 26 years of service under biennieal cadre scheme. It is the grievance of the applicant, though he had completed 26 years of service as early as 1987 and had become eligible for consideration for promotion to HSG-II in the scale of Rs.1600-2600 that he is not considered for the same. So the applicant has filed the present CA for the relief as already indicated above.

3. The applicant had putin a representation dated 21.4.1992 to the competant authority for the redressal of his grievance/grievances. Admittedly on the said representation the competant authority has not yet passed final order.

4. Today we have heard Mr.K.S.R.Anjaneyulu, Advocate for the applicant and Mr.M.Jaganmohan Reddy, Standing counsel for the respondents. It is the contention of

..3

To

1. The Secretary to Govt. Dept. of Posts, New Delhi.
2. Th Chief Post Master General, Hyderabad-1.
3. The Post Master General, Visakhapatnam.
4. The Superintendent of Post Offices, Vizianagaram Division, Vizianagaram-II.

with a copy of O.A as per Court order.

5. One copy to Mr.K.S.R.Anjaneyulu, Advocate, CA T.Hyd.Bench.
6. One copy to Mr. M Jagan Mohan Reddy Addl.CGSC.CAT.Hyd.
7. One spare copy.

pvm.

14/7/92

(26)

Mr.K.S.R.Anjaneyulu, learned counsel for the applicant that there is no disciplinary proceeding pending against the applicant on the date of review, and no charge memo of any sort as against the applicant was issued and so the deniel of the said promotion to the applicant is wholly unjustified and untenable in law. It is also his further contention the refusal to give promotion under BCR is illegal and unsustainable in law. So, in view of the contentions raised by Mr.K.S.R.Anjaneyulu, Learned counsel for the applicant and as the said representation of the applicant dated 21.4.1992 is still pending with the competant authority, no final order is passed thereon, we are of the opinion that the interests of the Justice will better be served if this OA is disposed of at the admission stage by giving appropriate directions.

5. Hence we direct the respondents to dispose of the said representation of the applicant dated 21.4.1992 and pass final order thereon within one month from the date of the receipt of this order. Further, we direct the respondents aft the said representation of the applicant is decided and final order is passed thereon, to consider the applicant for the said promotion(HSG-II) if the applicant is found eligible. If the applicant continues to be aggrieved by the final order passed by the respondents on this representation dated 21.4.92 the applicant would be at liberty to approach this Tribunal afresh in accordance with law. Append a copy of the OA to this order that is sent to the respondents for information.

T. Chandrasekhara Reddy

(T.CHANDRASEKHARA REDDY)
Member(Judl.)

Dated: 3rd July, 1992

(Dictated in the Open Court)

Deputy Registrar (J)

sd