

(32)

: IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :

: HYDERABAD BENCH : AT HYDERABAD :

O.A.No.748/93.

Dt. of Order:8-9-93.

R.Bhaskara Rao

...Applicant

Vs.

1. Union of India, rep. by Director  
General Department of Posts,  
New Delh-110 001.
2. The Chief Post Master General,  
A.P.Circle, Hyderabad-500 001.
3. Post Master General, Hyderabad  
Region, Hyderabad-500 001.
4. Superintendent of R.M.S. 'Z',  
Division, Hyderabad-500 001.

...Respondents

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Counsel for the Applicant : Shri P.Rattaiah

Counsel for the Respondents : Shri N.V.Ramana

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CORAM:

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

THE HON'BLE SHRI P.T.THIRUVENGADAM : MEMBER (A)

(Order of the Divn. Bench passed by Hon'ble  
Shri P.T.Thiruvengadam, Member (A) ).

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The applicant was promoted as L.S.G. Accountant  
and posted as A.H.R.O (Accounts), R.M.S.'Z' in Hyderabad  
w.e.f. 1-4-93 by Superintendent, R.M.S.'Z' Division in  
(R-4)

....2.

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his memo No.8-8/7/93 dt.19-5-93. Subsequently by memo No.88/7/93 dt.30-6-93 the 4th respondent canceled the promotion order in view of orders issued by Chief Post Master General, A.P.Circle, Hyderabad, posting Sri T. C.Rao, LSG Accountant as AHRO RMS 'Z' in Hyderabad. The same is challenged in this O.A.

2. We have heard Sri N.V.Ramana, standing counsel for the respondents and Sri Rattaiah, counsel for the applicant. In the counter/<sup>it</sup>is stated that the cadre of the LSG Accountant is maintained at Circle level as per clarification No.6-19/82-SPB.II dt.2-6-86 and as such the superintendent, as the head of the division is not competent to issue the promotion order. The learned counsel for the applicant however contends that the posts of LSG Accountants are of regional cadre as per proceedings dt.2-5-91, <sup>i.e. the</sup> proceedings relating to holding of Accountants examination on regional basis.

3. For the disposal of this case it is not necessary for us to go into the aspect whether the post of LSG accountant is forming part of the circle cadre or regional cadre. In either case the Superintendent of Post Offices who is the Head of the Division will not be the competent authority for issuing promotion orders.

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4. The learned counsel for the applicant pleaded that the applicant is the senior most <sup>in the relevant group</sup> in the region in which he is working. If the post of LSG Accountant is in regional cadre the PMG, Hyderabad Region (Respondent No.3) is directed to consider the question of promotion of the applicant to the cadre of LSG Accountant. The final orders in this regard shall be communicated to the applicant within one month from the date of receipt of this order. As this O.A. is being dismissed, the interim order dt.8-7-93 stands vacated.

5. O.A. is dismissed. No costs.

*P.T. Thiruvengadam*  
(P.T. THIRUVENGADAM)  
Member (A)

*V. Neeladri Rao*  
(V. NEELADRI RAO)  
Vice-Chairman

Dated: 8th September, 1993.  
Dictated in open court.

*A. S. 12/9/93*  
Deputy Registrar(J)

avl/

To

1. The Director General, Union of India, Department of Posts, New Delhi.1,
2. The Chief Postmaster General, A.P.Circle, Hyderabad-1.
3. The Postmaster General, Hyderabad Region, Hyderabad-1.
4. The Superintendent of R.M.S. 'Z' Division, Hyderabad-1.
5. One copy to Mr.P.Rattaiah, Advocate, Lingala Complex, Ist Floor. 9-33/3, Dilsukhnagar, Hyd.
6. One copy to Mr.N.v.Ramana, Addl.CGSC.CAT.Hyd.
7. One copy to Library, CAT.Hyd.
8. One spare copy.

pvm

*30/9/93*  
*2/9*

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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. A. B. GORTHY : MEMBER (A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY  
MEMBER (JUDL)

AND

THE HON'BLE MR. P. T. TIRUVENGADAM : M (A)

Dated: 8 - 9 - 1993

ORDER/JUDGMENT:

M.A/R.A/C.A.N.

in

O.A.No. 748/93  
T.A.No. (W.P.)

Admitted and Interim directions  
issued.

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered

No order as to costs.

