

(17)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
HYDERABAD

OA No. 86/93

Date of judgement: 26-2-93.

Between

Smt. R. Ramalaxmi,
W/o late R. Venkata Rao
Qr. No.24, P&T Qtrs.
Chikkadapally, Hyderabad-500 020. : Applicant

And

1. The Chief Postmaster-General,
Andhra Pradesh Circle,
Hyderabad.
2. The Sr. Supdt. of Post Offices,
Hyderabad city division,
Hyderabad-500 001.
3. The Estate Officer,
% Chief Postmaster-General,
Andhra Pradesh Circle,
Hyderabad. : Respondents

COUNSEL FOR THE APPLICANT : Shri K. Sudha Reddy

COUNSEL FOR THE RESPONDENTS : Shri N.R. De

CORAM

Hon'ble Shri Justice V. Neeladri Rao, Vice-Chairman.

Hon'ble Shri R. Balasubramanian, Member (Admn.)

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

This OA was filed praying for a direction to
the respondents to issue posting orders to the applicant
in Gr. D cadre as per office letter No. RE/1-26/81/90
dated 13-11-91 issued by Chief Postmaster-General, A.
Circle (Respondent 1) and to further direct the res
pondents to pay the arrears of the salary from 13-11-

Heard Shri K. Sudhakar Reddy, learned counsel for the applicant and Shri N.R. Devaraj, learned counsel for the respondents.

The husband of the applicant expired on 21-12-89 while he was in service as Postal Assistant, Hyderabad City division. The applicant made a request to Respondent 1 for a job on the ground that she is having 2 minor daughters and a minor son and she is feeling difficulty to maintain them. The Respondent 1 issued the proceedings dated 13-11-91 by considering the case of the applicant as a special case on compassionate grounds. But inspite of this, the applicant was not provided with a job is her grievance and hence this OA is filed. The order dated 13-11-91 of Respondent 1 specifies that the appointment of the applicant in Group D cadre post ^{has to be given} ~~is~~ after observing the usual formalities and after verifying the original educational certificates of the applicant. When OA 867/92 was filed by this very applicant in regard to this very relief, this Bench while disposing of the same on 16-10-92 observed as under:-

"We have examined the case and heard Shri K. Sudhakar Reddy and Shri N.R. Devaraj for the rival sides. Actual position regarding completion of formalities is not made known to the Bench. Under these circumstances, we refrain from giving any specific direction on this score. Thus it is evident this Bench had not considered the merits of the case in disposing of the OA 867/92. Probably for that reason, the applicant had again filed this OA."

The learned counsel for the applicant submitted that the applicant is having the requisite educational qualification and she has also produced the original certificates before the concerned authority and the ^{usual} ~~usual~~ formalities have to be observed ~~only~~ by the respondents.

The learned counsel for the respondents submitted that the applicant would be provided with a job in the next available vacancy for direct recruits and they have also addressed the other units to explore as to whether the applicant can be accommodated in other units.

In these circumstances, it is just and proper to pass the following order:

The respondents have to provide the job in Group 'D' cadre to the applicant in pursuance of the order dated 13-11-91 of Respondent 1 in the next available vacancy either in their unit, or in any other unit if possible, against the vacancy in direct recruits quota.

The husband of the applicant was given quarters and the applicant is still continuing there. By the Interim order dated 3.2.93, the respondents were restrained from ^{evicting} ~~vacating~~ the applicant from the said quarters. As this OA is now disposed of, it is necessary to pass the appropriate orders in regard to the quarters also. As the applicant admittedly is not entitled to the Type of quarters in which she is residing now, when a job in Gr. 'D' cadre is given to her, she has to vacate the said quarters. But in order to enable her to secure alternative accommodation, we feel it just to grant time till the end of June, 1993 for vacating the quarters. It is subject to the payment of arrears of rent, if any, and also payment of ^{current} rent in accordance with rules regularly.

The OA is disposed of accordingly.

(V. Neeladri Rao)
Vice-Chairman

(R. Balasubramanian)
Member (Admn.)

(Dictated in the open court)

Dated 26th February, 1993.

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

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.

DATE: 26/2/-1993

ORDER/JUDGMENT:

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

N.A.No.

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

