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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA.1000/13

date of decision : 24-8-1993

R. Ramanadham : Applicant

versus

1. Chief Post Master-General
of Andhra Pradesh
Abids
Hyderabad

2. Director of Postal Services
Abids
Hyderabad

3. Sr. Supdt. of Post Offices
Secunderabad Division
Secunderabad

: Respondents

Counsel for the applicant : K.V.V. Krishna Rao
Advocate

Counsel for the respondents : N.R. Devaraj, ^{SC}
Sr. SC for Central Govt.

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HON. MR. JUSTICE V. NEELADRI RAO, VICE CHAIRMAN

HON. MR. P.T. THIRUVENGADAM, MEMBER (ADMINISTRATION)

Judgement

(As per Hon. Mr. Justice V. Neeladri Rao, Vice Chairman)

Heard Sri K.V.V. Krishna Rao, learned counsel for the applicant and Sri N.R. Devaraj, learned counsel for the respondents.

2. While the applicant was working as ED Packer, he had gone under medical leave for 207 days for treatment of bone fracture. As the leave exceeded for a period of 180 days, disciplinary action was initiated against the applicant. Pending disposal of the disciplinary inquiry, the applicant was permitted to appear for the Departmental Examination

To

1. The Chief Postmaster General, of A.P.,
Abids, Hyderabad.
2. The Director of Postal Services, Abids, Hyderabad.
3. The Sr. Supdt. of Post Offices,
Secunderabad Division, Secunderabad.
4. One copy to Mr. K. v. v. Krishna Rao, Advocate, 23-49, R.K.Nagar,
Malkajgiri, Hyderabad.
5. One copy to Mr. N. R. Devraj, Sr. CGSC. CAT. Hyd.
6. One copy to Library, CAT. Hyd.
7. One spare copy

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For promotion to Postman, held on 1-12-1991, provisionally. The results were published on 10-3-1992. As the inquiry against the applicant was pending his result was not published and he was informed by letter dated 12-8-1992 that as his appearance for the examination was provisional, marks could not be supplied to him. This OA was filed praying for a direction to the respondents to publish the result of the applicant in regard to the examination held on 1-12-1991.

3. It is evident even from letter dated 8-10-1992 of the applicant through his advocate that he was removed from service after the inquiry. It is not the case of the applicant that he challenged the order of removal. When the applicant was ultimately removed in pursuance of the Departmental inquiry, and the permission to allow him to appear for the examination held on 1-12-1991 was provisional because of the Departmental inquiry, the question of publishing the result does not arise. It means that the applicant was not eligible for appearing for the said examination as the inquiry ended in his removal.

4. Hence, the OA is dismissed at the admission stage. This OA does not debar the applicant to challenge the removal if ^{he} is so advised. If there is delay in preferring ^{an} application, the question of condonation of delay is a matter for consideration by the Appellate authority.

5. The OA is ordered accordingly. No costs.

P. J. S.

(P.T. Thiruvengadam)
Member (Admn.)

V. Neeladri Rao
Vice Chairman

Dated : August 24, 93
Dictated in the Open Court

S. S. Rao
Deputy Registrar (J).

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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: 24-8-1993

ORDER/JUDGMENT:

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

in

O.A. No. 1000/93

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.

