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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.1420/93

Date of Order:29.12.93

BETWEEN:

G.Uma Maheswar

.. Applicant.

A N D

1. Post Master General,
Hyderabad Region,
Hyderabad.
2. Director of Postal Services,
Hyderabad Region, Hyderabad.
3. Superintendent of Post Offices,
Warangal Division, Warangal.
4. K.Lakshminarayana, Accountant
Divisional Office, Warangal.

.. Respondents

Counsel for the Applicant

.. Mr.S.Ramakrishna Rao

Counsel for the Respondents

.. Mr.V.Bhimanna, Addl Case

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CORAM:

HON'BLE Mr.V.NEELADRI RAO : VICE CHAIRMAN

HON'BLE Mr.R.RANGARAJAN : MEMBER (ADMN.)

P. J.

OA 1420/93

Judgement dated 29-12-93.

[AS PER SHRI V. NEELADRI RAO, VICE-CHAIRMAN)

Heard Shri Ramakrishna Rao, learned counsel for the applicant and also Shri V. Bhimanna, learned standing counsel for the respondents.

The applicant is now working as Accountant in Mahaboobabad H.O in Warrangal district. He was elected as Treasurer of National Union of Postal employees Class. III Warrangal division branch during the union conference held in February, 1993. It is a recognised union. One of the privileges of the recognised union is to be provided with a post at the Union Headquarters for the three office bearers, Union divisional Secretary, Assistant Secretary and the Treasurer. The Union headquarters is at Warrangal. When the applicant, on his election as Treasurer, represented to Respondent 3 to post him at Warrangal under the immunity clause for one year, Respondent 3 issued orders vide Memo. No. B/4-36/Tfrs./93 dated 24-5-93 posting the applicant as Accountant in the place of Respondent 4 in the office of Superintendent of Post offices, Warangal. As per the above memo. dated 24-5-93, Respondent 4 has to relieve the applicant to enable him to go and join at Warangal. But Respondent 3 issued phone message on 25-5-93 to the Postmaster, Mahaboobabad informing him that the memo. dated 24-5-93 is kept in abeyance. This OA was filed on 10-11-93 praying for a direction to Respondent 1 to Respondent 3 to implement the memo. dated 24-5-93 immediately.

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To

1. The Postmaster General, Hyderabad Region, Hyderabad.
2. The Director of Postal Services,
Hyderabad Region, Hyderabad.
3. The Superintendent of Post Offices,
Warangal Division, Warangal.
4. One copy to Mr.S.Ramakrishna Rao, Advocate, CAT.Hyd.
5. One copy to Mr. v.Bhimanna, Addl.CGSC.CAT.Hyd.
6. One copy to Library, CAT,Hyd.
- 7.One spare copy.

pvm

Handwritten signature and initials

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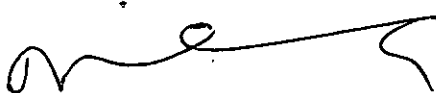
3. Notice before admission was ordered on 27-10-93.

4. After the matter was listed in December '93 Shri Bhimanna, the learned standing counsel has taken time ^{more than} on ~~one or the other~~ occasion to have instructions in the matter. Even till to-day the reply is not filed. It is submitted to-day for Respondent 1 to Respondent 3 that Respondent 4 will be retained at Warangal for compelling reasons.

5. When once the memo. dated 24-5-93 was issued under the immunity clause for one year in the interest of the union which the applicant represents, and when already more than 7 months elapsed after the said memo. ^{was} ~~is~~ issued, and keeping in ~~view~~ we feel that it is not just and proper to further delay the implementation of the memo. dated 24-5-93. Of course, it is open to Respondent 1 to 3 to retain Respondent 4 in Warangal if there is a possibility of accommodating the applicant by disturbing another Accountant in the office of Supdt. of POs ^{in Divisional office at} Warangal. In these circumstances, it is just and proper to pass the following order.

6. Necessary steps have to be taken by Respondent 1 to 3 to relieve the applicant well in advance so as to enable him to join at Divisional office in Warangal by 1st February, 1994.

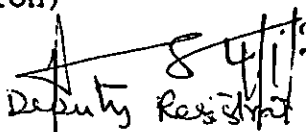
7. The OA is ordered accordingly. No costs.


(R. RANGARAJAN)
Member (Admn.)


(V. NEELADRI RAO)
Vice-Chairman

(Open court dictation)

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84/11
Deputy Registrar

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TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : 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(J)

AND

THE HON'BLE MR. R. RANGARAJAN : MEMBER(A)

Dated: 29-12-1993

ORDER/JUDGMENT:

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

O.A.No.

in

1420/93.

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.

pvm

