

(28)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

OA 242/93 and MA 328/93

Dt. of Order: 28-6-93.

Voleti Krishna Mohan Gandhi

Vs.

...Applicant

1. The Secretary to Govt. of India,  
Ministry of Communications,  
Parliament Street, New Delhi.
2. The Director General, Dept. of Posts,  
Dak Tar Bhavan, Parliament Street,  
New Delhi-110 001.
3. The Chairman, Dept. of Posts,  
Dak Tar Bhavan, Parliament Street,  
New Delhi-110 001.
4. The Chief Post Master General,  
A.P., Dak *Sadar*, Hyd-1.
5. The Post Master General, A.P.,  
Northern Region, Visakhapatnam.
6. The Sr. Supdt. of Post Offices,  
Amalapuram Divn. Amalapuram-533 201.
7. The Sub-Divisional Inspector (Posts),  
Amalapuram Sub Division, Amalapuram-533 201.
8. The Director General, Dept. of Telecommuni-  
cations, Sanchar Bhavan, New Delhi-110 001.
9. The Chairman, Telecommunications Board,  
Sanchar Bhavan, New Delhi-110 001.
10. The Chief General Manager, Telecommuni-  
cations, A.P., Door Sanchar Bavan, Hyd-1.
11. The Director, Telegraph Traffic, A.P.,  
Vasant Vihar Compound, Abids, Hyd-1.
12. The Supdt., Telegraph Traffic Division,  
Rajahmundry-533 104.
13. The Assistant Superintendent,  
Telegraph Traffic, D.T.O., Amalapuram-533 201.

....Respondents

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Counsel for the Applicant : Shri U.R.S. Gurupadam

Counsel for the Respondents : Shri N.V. Ramana, Addl. CGSC

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contd...2.

(29)

CORAM:

THE HON'BLE SHRI A.B.GORTHY : MEMBER (A)

THE HON'BLE SHRI T.CHANDRASEKHAR REDDY : MEMBER (J)

(Order of the Divn. Bench delivered by  
Hon'ble Shri A.B.Gorthi, Member (A) ).

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The applicant joined Uppudi Branch Post Office as Extra Departmental Packer under Amalapuram H.O. on 27-2-79. He was transferred to Mummidivaram as E.D.Messenger on 10-10-85. While he was working at Mummidivaram he was sent on deputation to the Telegraph Branch. The Telegraph Branch of combined sub post office at Mummidivaram was separated with the formation of Telecom Centre at Mummidivaram on 24-8-92. Vide order dt.21-8-92 the applicant was directed to report for duty at Telecom Centre, Mummidivaram on 24-8-92 on deputation basis for a period of six months or until vacancy arises on postal side. While on deputation on Telegraphic Branch, the applicant was working for eight hours per day. While he was continued<sup>ing</sup> to function at Telegraphic Centre, he was directed to report Dontikurru Branch Post Office as E.D.D.A. The applicant's contention is that in the new post he would be required to work only for three hours per day and that this adversely affects his Career interest. His prayer therefore is that either he should be allowed to continue at the Telecom Centre or be given a suitable assignment where he could work for atleast eight hours a day.

22/9/92

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2. A reply has been filed by the Respondents. We have heard Shri U.R.S.Gurupadam, counsel for the applicant and Shri N.V.Ramana, counsel for the Respondents at length on the merits of the case as also on the points raised in the ✓ MA.283/93. In the said M.A. ~~his~~<sup>a</sup> prayer has been made for an interim relief to the effect that the applicant should be allowed to continue as E.D.Telegraph Messenger at the Telecom Centre till the case is finally settled.

3. Sri Gurupadam, counsel for the applicant states that ✓ the applicant <sup>was</sup> initially working for five hours a day as E.D. Packer and thereafter he was working at Telecom Centre where he was performing duty for eight hours a day. With the impugned order of his transfer to Dontikurru Branch Post Office, he found that he will be required to perform duty for three hours a day only whereas several other employees junior to him in service are given placement under Amalapuram H.O., where they are performing work for more than three hours. He therefore feels that his transfer to Dontikurru ✓ is not just <sup>or</sup> ~~an~~ fair.

4. Sri N.V.Ramana, counsel for the Respondents contends that the applicant was sent to Telecom Centre merely on deputation and that he had no right to demand that he should continue to be on deputation with the Telecom Centre. At Dontikurru Branch Post Office the applicant would be required

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Copy to:-

1. The Secretary to Govt. of India, Ministry of Communications, Parliament Street, New Delhi.
2. The Director General, Department of Posts, Dak Tar Bhavan, Parliament Street, New Delhi-001.
3. The Chairman, Department of Posts, Dak Tar Bhavan, Parliament Street, New Delhi-001.
4. The Chief Post Master General, A.P., Dak Bhavan, Hyd-1.
5. The Postmaster General, A.P. Northern Region, Visakhapatnam.
6. The Sr. Supdt of Post Offices, Amalapuram Division, Amalapuram-201.
7. The Sub-Divisional Inspector (Posts), Amalapuram Sub Division, Amalapuram-201.
8. The Director General, Department of Telecommunications, Sanchar Bhavan, New Delhi-001.
9. The Chairman, Telecommunications Board, Sanchar Bhavan, New Delhi-001.
10. The Chief General Manager, Telecommunications, A.P. Door Sanchar Bhavan, Hyd-1.
11. The Director, Telegraph Traffic, A.P. Vasant Vihar Compound, Abids, Hyd-1.
12. The Supdt., Telegraph Traffic Division, Rajahmundry, 104.
13. The Assistant Superintendent, Telegraph Traffic, D.T.O. Amalapuram-201.
14. One copy to Sri. U.R.S. Gurupadam, advocate, 16-9-831/12-A Sarojininar, Hyd.
15. One copy to Sri. N.V. Ramana, Addl. CGSC, CAT, Hyd.
16. One spare copy.

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L to perform whatever duty<sup>is</sup> available there.

5. The learned counsel for the applicant states that the applicant will be willing to be placed anywhere in Amalapuram Sub-Division where there is five hours<sup>or more</sup>/work available.

In view of this submission and in view of the fact that

there are several others junior to him in service working

✓ elsewhere in Amalapuram Sub Division<sup>and</sup> are performing more

than three hours work, we deem it fit and proper to dispose

of this application with a direction to respondents to

✓ appoint<sup>the applicant</sup> in any available vacancy where there is work to the

extent of five hours per pay. The request of the applicant

for continuing as Telegraph Messenger in the Telecom Centre

Mummidivaram is hereby rejected but it is open to the Respon-

✓ dents to keep him there till they <sup>find</sup> ~~found~~ a proper place for

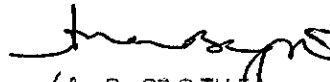
him as directed above.

6. The Original Application and the Miscellaneous Appli-

✓ cation<sup>are</sup> ~~is~~ disposed of as indicated above. There will be no

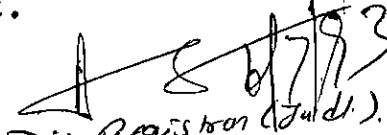
order as to costs.

T. Chandrasekhara   
(T. CHANDRASEKHAR REDDY)  
Member (J)

  
(A.B. GORTHI)  
Member (A)

Dated: 28th June, 1993.  
Dictated in Open Court.

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Dy. Registrar (J. & L.)

Contd. ... 57-

4th June 1993  
per 3/7/93

Revue  
13/70-A-242/93  
M-A 32879

TYPED BY \_\_\_\_\_ COMPARED BY \_\_\_\_\_  
CHECKED BY \_\_\_\_\_ 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. R. BALASUBRAMANIAN  
MEMBER (ADMN)

AND

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

DATED: 28/6/1993

ORDER/JUDGMENT

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

in

O.A.No.

242/93

T.A.No.

(W.P.No. \_\_\_\_\_)

Admitted and Interim directions  
issued.

Allowed.

Disposed of with directions

Dismissed as withdrawn.

Dismissed

Dismissed for default.

Ordered/Rejected.

No order as to costs.

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