

(21)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD
* * *

O.A. No. 504/93

Dt. of Decision: 5.11.93

D. Pradeep Kumar

..APPLICANT.

Vs

1. The Superintendent of Post Offices, Karimnagar, Karimnagar District.
2. Inspector of Post Office, Sirilla Circle, Karimnagar Dist.
3. The Post Master General, Andhra Pradesh, Hyderabad.
4. Sri M. Kishan S/o Narayana, R/o Dammanapeta, Karimnagar Dist.
5. M. Srinivas S/o Rajesham, R/o Dammanapeta, Karimnagar Dist.

(Age of Respondent Nos. 4&5 are not known) .. Respondents.

Counsel for the applicant : Mr. Ch. Jaganatha Rao

Counsel for the respondents : Mr. N. V. Ramana

Addl. CGSC

Mr. K. S. R. Anganayakan 8M 2-4
Mr. D. Iyengar Rao 8M 2-5

CORAM:

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

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

(22)

OA.504/93

Judgement

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

Heard Shri Ch. Jagannatha Rao, learned counsel for the applicant and Sri N.V. Ramana, learned standing counsel for the official respondents and Sri K.S.R. Anjaneyulu, learned counsel for R-4 and Sri D. Linga Rao, learned counsel for the R.5.

2. The applicant herein submitted an application for post of EDBPM, Dammannapet under Karimnagar District in pursuance of notification dated 8-2-1993. R-1 the competent authority issued a fresh notification dated B2/D-pef/93, dated 31-3-1993 calling applications for the same post. It is stated for the respondents that as the applications received in pursuance of the notification dated 8-2-1993 were in-complete, the latter notification dated 31-3-1993 was issued. In pursuance of the latter notification R-4, and R-5 and some others submitted their applications. But the applicant ^{had not} submitted an application in pursuance of the later notification.

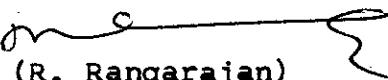
3. This OA was filed praying for a declaration that the applicant is entitled for selection and appointment in preference to R-4 and R-5 in regard to the post of EDBPM, Dammannapet. When the applicant had not submitted any application in pursuance of the later notification dated 31-3-1993, the question of considering his case does not arise. It is only the case of the persons who submitted the applications in pursuance of the notifications issued, alone have to be considered. When the case of the applicant

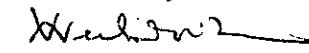
(23)

cannot be considered at all as he has not submitted the application the question of preferential claim of the applicant does not arise.

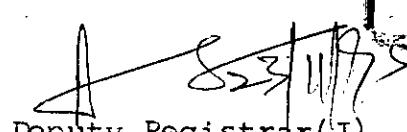
4. We have to make it clear that the applicant had not prayed for declaration that the later notification is illegal. As such it is not necessary to consider for disposal of this application as to whether there was justification for issuance of later notification dated 31-3-1993.

5. In the result, the OA is dismissed. No costs.


(R. Rangarajan)
Member (Admn)


(V. Neeladri Rao)
Vice-Chairman

Dated : November 5, 1993
Dictated in the Open Court


Deputy Registrar (U)

To

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1. The Superintendent of Post Offices,
Karimnagar, Karimnagar Dist.
2. The Inspector of Post Office,
Siricilla Circle, Karimnagar Dist.
3. The Post Master General, Andhra Pradesh, Hyderabad.
4. One copy to Mr. Ch. Jagannatha Rao, Advocate, 1-8-702/92/4
Padma colony, Nallakunta, Hyd.
5. ~~One copy to Mr. N. V. Rama Rao, Advocate, CAT, Hyderabad~~
6. One copy to Mr. K. S. R. Anjaneyulu, Advocate, CAT, Hyd.
7. One copy to Mr. D. Linga Rao, Advocate, Advocates Association,
High Court of A.P. Hyd.
8. One copy to Library, CAT, Hyd.
9. One sparecopy.

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COMPARED BY

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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. GORTHI : MEMBER (A)

AND

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

AND

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

Dated: 5-11-1993

ORDER/JUDGMENT:

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

O.A.No. 504/93 ⁱⁿ

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.

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