

(14)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD & NCH  
AT HYDERABAD

O.A. 1256/94.

Dt. of Decision : 5.10.94.

M. Sankarappa

.. Applicant.

Vs

1. The Director of Postal Services,  
Office of the Post Master General,  
Andhra Pradesh, Southern Region,  
Kurnool.

2. The Sr. Superintendent of Post Offices,  
Chittoor Division, Chittoor Dist.

.. Respondents.

Counsel for the Applicant : Mr. K.G. Krishna Murthy

Counsel for the Respondents: Mr. N.V.Raghava Reddy, Addl.CGSC.

CORAM:

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

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

(15)

O.A.NO.1256/94.

JUDGMENT

Dt:5.10.1994

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN)

Heard Shri K.G.Krishna Murthy, learned  
counsel for the applicant and Shri N.V.Raghava Reddy,  
learned standing counsel for the respondents.

2. The applicant is working as Extra Departmental Branch Post Master (EDBPM), Naniyala Branch Post Office on provisional basis since 1991. Notification dated 28.6.1994 was issued calling for applications for filling up the said post on regular basis. Then the applicant and some others applied for the same.

3. The case of the applicant is that he came to know that his application was not being considered and hence he made a representation on 12.8.1994 to R-2 requesting him to consider his application also for the said post. This OA was filed praying for declaration that the action of R-2 in not interviewing the applicant for the post of EDBPM, Naniyala Branch PO along with other candidates, is illegal, unjust and arbitrary and for further ~~xxx~~ declaration that the applicant is entitled for regularisation as EDBPM, Naniyala BPO, as he completed three years of service in the said post.

contd....

To

1. The Director of Postal Services,  
O/o the Postmaster General, A.P.  
Southern Region, Kurnool.
2. The Sr.Superintendent of Post Offices,  
Chittoor Division, Chittoor Dist.
3. One copy to Mr.K.G.Krishna Murthy, Advocate, 16-2-147/55/C  
Anandnagar, Malakpet, Hyd.
4. One copy to Mr.N.V.Raghava Reddy, Addl.GS.CAT.Hyd.
5. One copy to Library, CAT.Hyd.
6. One spare copy.

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4. It is not a case where the applicant was informed that his application would not be considered. It is even submitted for the applicant that there will not be any interview for consideration for selection for the post of EDBPM, Naniyala BPO. But at the time of arguments at the time of consideration for admission, it is stated that testimonials would be called for and as the testimonials of the applicant were not called for, he is under impression that his case was not being considered.

5. There is no provision for regularisation of the services of an EDBPM who was appointed on provisional basis, and the regular appointment is only on the basis of selection.

6. Hence, the applicant is not entitled to the second relief whereby he prayed for regularisation of his services as EDBPM. The only direction that has to be given at this stage in regard to the first relief is that if the case of the applicant is not considered, then no final selection should be made in regard to the post of EDBPM, Naniyala BPO without consideration of the case of the applicant also, if his application was in the order in time.

7. The OA is ordered accordingly at the admission stage. No costs./

(R. RANGARAJAN)  
MEMBER (ADMN.)

(V. NEELADRI RAO)  
VICE CHAIRMAN

5th October, 1994.

Deputy Reg.

TYPED BY                      CHECKED BY  
COMPALED 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. RANGARAJAN : M(A.D.N)

DATE: 5-10-1994

~~ORDER~~ JUDGMENT

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

O.A.No. 1256/94.

(T.A.No.                      (W.P.NO

Admitted and Interim directions  
Issued.

Allowed.

Disposed of with directions of the  
Dismissed                      admitting stage

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected

No order as to costs.

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