

(B)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

D.A. 1532/94.

Dt. of Decision : 20.12.94.

M. Venkanna

.. Applicant.

Vs

1. The Chief Postmaster General,
Hyderabad.
2. The Postmaster General,
Hyderabad Region,
Hyderabad.
3. Supdt. of Post Offices,
Warangal Division,
Warangal.

.. Respondents.

Counsel for the Applicant : Mr. P. Rathaiah

Counsel for the Respondents : Mr. N.R. Devaraj, Sr. CGSC.

CORAM:

THE HON'BLE SHRI A.V. HARIDASAN : MEMBER (JUDL.)

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

O.A. 1532/94.

Dt. of Decision : 20.12.94.

ORDER

¶ As per Hon'ble Shri A.V.Haridasan, Member (Judl.) ¶

The applicant has prayed that the respondents may be directed to restore his position of the Postal Assistant for which he was originally selected. The facts may be stated in brief as follows:-

2. On the death of Shri Jaggaiah who worked as POSTMAN and who died in harness, the applicant who is his son, was considered for appointment on compassionate grounds. The applicant was ensured with a letter dated 27.4.1994 of the Superintendent of Post Offices (R-3) to report for training to the Principal, PTC Mysore for undergoing theoritical training for a period of 2½ months with effect from 9.5.1994 and was also directed to execute a security bond for Rs. 4038/-. This order was subsequently cancelled by another letter of the respondent dt. 3.5.94. Subsequently by order dated 3.5.94 the applicant was approved for appointment as a Postman and he was appointed as a Postman by order dated 3.8.94 with effect from 13.6.94 by the 4th respondent. The case of the applicant is that since he has been selected for appointment as Postal Assistant the cancelling of that selection and his appointment only as a Postman is arbitrary and illegal and on that basis the applicant prays, that the respondents may be directed to restore his position as a Postal Assistant.

3. Shri N.V. Raghava Reddy appeared on behalf of the respondents taking notice, ~~he~~ made available for our perusal the entire file which lead to the applicant's

To

1. The Chief Post Master General, Hyderabad.
2. The Post Master General, Hyderabad Region, Hyderabad.
3. The Superintendent of Post Offices, Warangal Division, Warangal.
4. One copy to Mr.P.Rathaiah, Advocate, CAT, Hyderabad.
5. One copy to Mr.N.R.Devraj, Sr.CGSC, CAT, Hyderabad.
6. One copy to Library, CAT, Hyderabad.
7. One spare copy.

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appointment to the post of Postman. We notice that the Chief Postmaster General (first respondent) has conveyed the approval of the Circle Selection Committee of the appointment of the applicant as a Postman to the Postmaster General (2nd Respondent) for further action. It appears that the 2nd respondent thought that the approval was to appoint as a Postal Assistant and it was on this basis that the Superintendent of Post Offices issued the Annexure A-1 letter directing the applicant to report for training. Immediately before the applicant could report for training the mistake having been noticed the same was rectified by issuing a letter. It was therefore that the applicant was offered appointment as a Postman for which his case was cleared by the Circle Selection Committee.

4. It is borne out clearly from the records that the applicant has been approved for appointment by the circle selection committee only as a Postman and what has been done in this case is only rectification of an error committed by the Postmaster General. The applicant who was neither selected nor appointed as a Postal Assistant has no right to the relief of a direction to the respondents to restore his position as a Postal Assistant. He therefore does not disclose a prima-facie a case, and hence the same is rejected under section 19(3) of the Admin. Tribunals Act, leaving the parties to bear their own costs.

(A.B. GORATHI)
MEMBER (ADMN.)

(A.V. HARIDASAN)
MEMBER (JUDL.)

Dated : The 20th December 1994.
(Dictated in Open Court)

Deputy Registrar (J)

TYPED BY
CHECKED BY

COMPARED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

THE HON'BLE MR.A.V.HARIDASAN : MEMBER(J)

AND

THE HON'BLE MR.A.B.GORTHI : MEMBER(A)

DATED : 20.12.94.

ORDER/JUDGEMENT.

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

in
C.A.NO. 1532/94.

Admitted and Interim directions
issued

Allowed

Disposed of with Directions

Dismissed as withdrawn,

Dismissed for Default...

Rejected/Ordered

No order as to costs.

conclupn
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