

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No. 1052/94

Date of Order: 2.5.97

BETWEEN:

G.V.Venkateswarlu

.. Applicant.

AND

1. The Chief Post Master General,
A.P.Circle, (rep. Union of India),
2. The Supdt. of Post Offices,
Amalapuram Division,
Amalapuram - 533 201.
3. The Asst. Supdt. of Post Offices,
Kothapeta - 533 223.

.. Respondents.

Counsel for the Applicant

.. Mr.C.Suryanarayana

Counsel for the Respondents

.. Mr.K.Bhaskara Rao

CORAM:

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

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUD L.)

O R D E R

X)Oral order as per Hon'ble Shri R.Rangarajan, Member (Admn.) X

Heard Mr.C.Suryanarayana, learned counsel for the applicant. None for the respondents.

2. This OA is filed for the following reliefs:-

To call for the records relating to the impugned termination notice (A-3) issued under 2nd respondent's memo and smash the same declaring at the same time that Rule 6 of P&T EDAs (Conduct & Service, Rule

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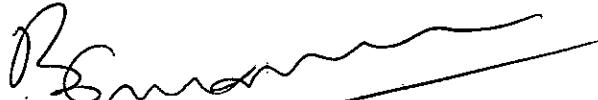
.. 2 ..

1964 is arbitrary and violative of the principles of natural justice and the notification (A-2) issued under 2nd respondent's memo No. B-25/100 dt. 18.4.94 calling for applications for provisional appointment for EDBPM post of Pegatlapalli is calculated to violate the principle that one adhoc or provisional appointment cannot be replaced by another and hence it is illegal.

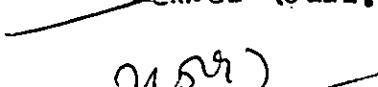
3. The learned counsel for the applicant submitted that he had been reinstated in the post of EDBPM, Pedgatlapalli.

In view of the above the OA has become infructuous.

4. In view of the above submission the OA is dismissed as infructuous. No costs.

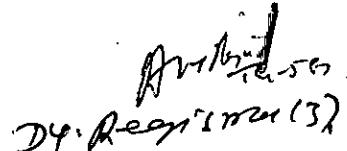

(B.S. JAI PARAMESHWAR)
Member (Judl.)


(R. RANGARAJAN)
Member (Admn.)


MSR)

Dated: 2nd May, 1997
(Dictated in Open Court)

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D.Y. Regi (man 3)

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Copy to:-

1. The Chief Post Master General, A.P. Circle, (rep. Union of India), Hyd.
2. The Supdt of Post Offices, Amalapuram Division, Ampt. Kothapeta. Supdt of Post Offices, Kothapeta Sub Division.
3. - One copy to Sri. C.Suryanarayana, advocate.
4. One copy to Sri. K.Bhaskara Rao, Addl. CGSC, CAT, Hyd.
5. One copy to Deputy Registrar.
6. One copy to spare.

Rsm/-

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(36/97)

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

R. Ranagathan, AM

VICE-CHAIRMAN

and

B.S. Jai Parmenar Jn.
THE HON'BLE MR. H. RAJENDRA PRASAD: M(A)

Dated:

21/6/1997

ORDER/JUDGMENT

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

in

C.A. No. 1052/97

T.A. No.

(w.p.)

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions

Dismissed.

Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected.

No order as to costs.

pvm

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
DEPT/DESPATCH
10 JUN 1997
हैदराबाद न्यायालय
HYDERABAD BENCH

32

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

M.A.No. 378/97 in
O.A.No. 1052/94

Date of Order: 2.5.97

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.. Applicant.

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.. Respondents.

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.. Mr.C.Suryanarayana

Counsel for the Respondents

.. Mr.K.Bhaskara Rao

CORAM:

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

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

O R D E R

X Oral order as per Hon'ble Shri R.Rangarajan, Member (Admn.) X

Heard Mr.C.Suryanarayana, learned counsel for the applicant and none for the respondents.

2. It is stated now that the regular incumbent who ~~was~~ ^{was}
~~kept off from duty~~ ^{was} ~~been taken up~~ on certain charges was exonerated. Hence he has been posted back to original post as EDBPM Pedagatlapalli B.O. In view of the above the learned counsel for the applicant submitted that ~~he~~ ^{the applicant} has to vacate the chair. In

.. 2 ..

has

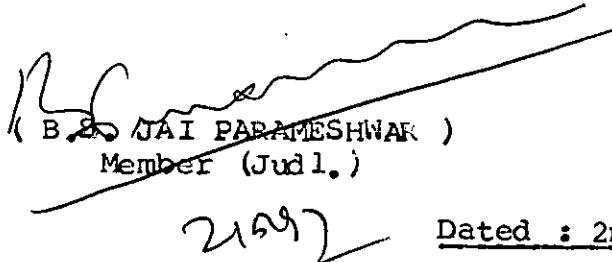
that view he further submitted that the OA itself become infructuous.

3. But the learned counsel for the applicant submits that in view of DG P&T letter No. 43-4/77-Pen, dt. 18.5.79, ~~the~~ the applicant has to be kept on the waiting list for absorption as he had completed morethan 3 years of service as EDBPM. He has filed a representation in this connection dt. 4.2.97 (A-2 ~~..... issued by impugned order No.~~ B10/74, dt. 12.3.97 (A-3). The applicant now submits that a direction may be given in this MA to register his name in accordance with the DG P&T letters referred to above.

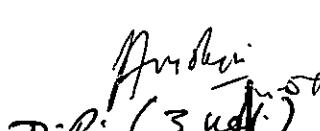
4. The prayer in this OA cannot be related to the prayer in the direction petition. If the applicant is ~~going to be~~ aggrieved by the impugned letter dt. 12.3.97 the proper course ~~is~~ left to him is to file a fresh OA impugning the letter dt. 12.3.97. If such an OA ~~will~~ be filed the rights will be adjudicated on the grounds made in that OA.

5. In view of what is stated above there is no need to give any direction in this petition. Hence the petition is dismissed. However liberty is given to the applicant to file a fresh OA as indicated above.

6. MA is dismissed. No costs.


(B. S. JAI PARAMESHWAR)
Member (Judl.)


(R. RANGARAJAN)
Member (Admn.)


2159) Dated : 2nd May, 1997

(Dictated in Open Court)

sd

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4. One copy to Sri. C.Suraynaryana, advocate, CAT, Hyd.
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Rsm/-

8/8
13/6/97

COURT

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HYDERABAD BENCH AT HYDERABAD

R. Ranganathan, Am
THE HON'BLE MR. JUSTICE
VICE-CHAIRMAN

and
B.S. Tej parameswar Jm
THE HON'BLE MR. H. RAJENDRA PRASAD, M.A.

Dated: 21/9 -1997

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