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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.424/94

dt.19-3-97

G. Anandam

: Applicant

and

1. Union of India, rep. by
Postmaster General, AP Northern Region
Dak Sadan, Hyderabad 1

2. Supdt. of Post Offices
Karimnagar Division
Karimnagar 505001

3. Inspector of Post Offices
Jagityal West Sub Divn.
Jagityal 505327

4. D. Praveen
I/c EDBPM, Varsikonda BPO
Ibrahimpattanam Mandal
Karimnagar
AP 505 450

: Respondents

Counsel for the applicant

: B.S.A. Satyanarayana
Advocate

Respondents

• V. Bhimanna

Mr. D. Lingappaiah (not present)

CORAM

HON. MR. R. RANGARAJAN, MEMBER (ADMN.)

HON. MR. B.S. JAIPARAMESWAR, MEMBER (JDDL)

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Judgement

Oral order (per Hon. Mr. B.S. Jai Parameswar, Member(J)

None for the applicant, and Sri V. Bhimanna for the respondents not present.

1. The applicant while working as Extra Departmental Branch Postmaster, Varsikonda Branch Post Office in account with Ibrahimpatnam Sub-Post Office, was arrested by Ibrahimpatnam police on 10-1-1992 in Crime No.2/92 of the said police station. The police submitted final report before the Executive Magistrate, Ibrahimpatnam, in case No.2/92. the applicant for proceeding against him under section 108 of Cr.PC. The Executive Magistrate had by his order dated 30-7-1993 obtained ^α bond from the applicant for keeping good behaviour for a period of six months. Thereafter, the applicant approached the Respondent-2, who advised to obtain clearance certificate from the Collector, Karimnagar District. It is stated that the District Collector, Karimnagar, has written a d.o. letter to the Superintendent of Post Offices, Karimnagar, Stating ^{the} the charge levelled against the applicant. Thereafter the applicant made representation to the Superintendent of Post Offices, Karimnagar, against the order of dismissal from service.

2. He filed this OA to call for the records, to declare the action of the Respondent-2 in issuing a fresh notification which is impugned in this OA as void and a consequence to direct ^{the} Respondent-2 herein to reinstate him in service. It

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is submitted that the Superintendent of Post Offices issued a notification dated 26-7-1993 calling for applications for filling up post of EDBPM, Varsikonda.

3. It is this notification that has been challenged by this applicant in this OA.

4. The respondents have filed their counter stating that the applicant was appointed on provisional basis. On 4-3-1991 a notification was issued calling for applications from Employment exchange. That pursuant to the said notification the applicant was given the charge of Branch Post office on 2-7-1997 subject to verification of his character and antecedents. That the attestation forms submitted by the applicant were forwarded to the District Collector. That verification report disclosed that the applicant had involved in proceeding under section 108 of Cr. PC in Crime No.3/92 of Ibrahimpatnam police station. That the applicant was a sympathiser of CPI(M) PW group, which is banned by the Government. That on verification of the said report he was discharged from the post. That thereafter, Respondent-2 issued a fresh notification on 26-7-93 for filling up the post of EDBPM against the applicant. That applicant also responded to the said notification. That the applicant fulfilled all conditions of notification. That Respondent-2 addressed a letter to the District Collector to indicate whether the applicant was suitable for Government service. That on receipt of the report from the District Collector, Respondent-2 decided not to consider the applicant for the post of EDBPM, invoking the provisions of Rule 18 of ED Agents(Conduct

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and Service) Rules, 1964, and finalise the selection. That therefore there are no reasons to interfere with the notification issued by the Respondent-2 on 26-7-1993.

5. From the material placed on record, it is clear that the applicant was involved in criminal proceedings under section 108 of Cr.PC. under crime No.2/92 (Crime Police station. Respondent-2 in order to ascertain the character and antecedents^e of the applicant entered into the correspondence with the District Collector, Karimnagar. The District Collector, Karimnagar, submitted the report which was not favourable to the applicant. It is in these backgrounds that the Respondent-2 issued a fresh notification dated 26-7-1993 to fill up the post of EDBPM, Varsikonda.

6. Therefore, we find no justification to the contention made by the applicant in challenging the said notification. We find no irregularities in Respondent-2 inviting applications and also invoking Rule 18 of the ED Agents rules. Hence, there are no merits in the OA. The OA is dismissed^{with} no order as to costs.

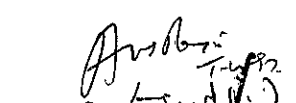
7. None on either sides. As it is a case instituted in the year 1994, it is disposed of under Rule 15(1) of CAT Procedure rules.


(B.S. Jai Parameswar)
Member (Judl)


(R. Rangarajan)
Member (Admn.)

19377

Dated : March 19, 97
Dictated in Open Court


R. (Judl.)

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Copy to:-

1. The Postmaster General, A.P. Northern Region, Union of India, Dak Sadan, Hyd.
2. Supdt of Post Offices, Karimnagar Division, Karimnagar.
3. Inspector of Post Offices, Jagityal West Sub Division, Jagityal.
4. One copy to Sri. B.S.A. Satyanarayana, advocate, CAT, Hyd.
5. One copy to Sri. V. Bhimanna, Addl. CGSC, CAT, Hyd.
6. One copy to Deputy Registrar(A), CAT, Hyd.
7. One copy to Spare.

for one copy to Mr. D. Lingaiah - for

Rsm/-

23/4/97

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THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(R)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR:
M(J)

DATED:

19/3/97

ORDER/JUDGEMENT

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

O.A.No.

in
424/47

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED
DISPOSED OF WITH DIRECTIONS
DISMISSED
DISMISSED AS WITHDRAWN
ORDERED/REJECTED
NO ORDER AS TO COSTS.

II COURT

YLKR

