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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

OA No. 479/94

Date of Decision: 4th July, 1997

BETWEEN:

Idris Miya

.. Applicant

AND

1. The Superintendent of Post Offices, Nizamabad.
2. Superintendent, Telegraphic Traffic Division, Warangal, Hanamkonda-506001.

.. Respondents

Counsel for the Applicant: Mr. S. Ramakrishna Rao

Counsel for the Respondents: Mr. N.V. Raghav Reddy

CORAM:

THE HON'BLE SRI H. RAJENDRA PRASAD: MEMBER (ADMN.)

ORDER

(Per Hon'ble Sri H. Rajendra Prasad: Member (Admn.)

Heard Mr. S. Ramakrishna Rao for the applicant and Mr. W. Satyanarayana for Sri N.V. Raghava Reddy on behalf of the respondents.

The applicant while working as ED Telegraph messenger in Shakar Nagar was deputed to the newly-opened Telecommunications Centre at Bodhan at the time of bifurcation of the Telegraphs Wing in the erstwhile Shakarnagar CSO. The applicant continues to be on deputation. The applicant prays that a direction be given to the department of Tele-communications to absorb the applicant in an appropriate post in Bodhan town.

From the facts of the case the relief prayed for is unacceptable since the official was taken merely on deputation and has not earned any right to demand absorption. In the meanwhile, the respondents disclose that he was duly offered an appointment in his parent department as EDDA, Banswada Sub-Post office. The offer was not taken by the applicant reportedly due to extremely difficult personal circumstances at the time. It seems that he is now willing to be repatriated to his parent department.

Respondent-1 shall, therefore, examine the feasibility of taking back the applicant on repatriation from the Telecom in one of the existing vacancies, preferably in his erstwhile sub-division if possible, or elsewhere in one of the existing vacancies in the division. If no vacancy exists in any of the offices <sup>in the Sub-Division / Division</sup> at present, the next vacancy in the Sub-Division, failing which in the Division, should be made available to him. Till then TDM, Nizamabad (who has since taken over the control of Telecom operations in the area in place of Respondent-2) is directed not to repatriate the applicant.

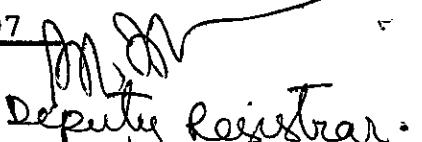
It was submitted by Sri Ramkrishna Rao at this stage that although the applicant has put in more than 16 years of service and continues to <sup>be</sup> borne on the ED Establishment of Nizamabad Postal Division, he has not been provided any available to the EDAs as per approved scheme in the department. His grievance seems to be justified. He is absorbed neither in the office where he is working nor regularised in his parent department, and is also being made to forego promotional prospects in the postal wing. I feel there is some force in the argument.

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Respondent-1 shall, therefore, examine the feasibility of permitting the applicant, if he so offers, to appear at any of the examinations or to take any test for promotion to Postman/Group-D, if he is otherwise eligible. Since the applicant, being away on deputation may not come to learn of such tests/examinations, it would be expected of Respondent deputation, if any - are duly kept apprised of such examinations, whenever held, until the process of repatriation is complete.

Thus the OA is disposed of.

  
(H. RAJENDRA PRASAD)  
MEMBER (ADMN.)

DATE: 4th July 1997 

KSM

spk  
25/7/97

T COURT

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE  
VICE-CHAIRMAN

and

THE HON'BLE MR.H.RAJENDRA PRASAD, M(A)

Dated: 4-7-1997

ORDER/JUDGMENT

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

in

C.A.No. 479/94 -

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.

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