

(12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD  
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O.A. No. 1069/94.

Dt. of Decision : 31-8-94.

A. Vasudeva Rao

.. Applicant.

Vs

Kurnool Register General,  
Department of Posts,  
Kurnool - 5.

2. The Director of Postal Services,  
Kurnool Region (A.P.S.R.),  
Department of Posts,  
Kurnool - 5.

3. Sri A. Savaranra

.. Respondents.

*m. m. p. Chandrabala*

--- the Applicant : Mr. K. Janardhana Rao  
Counsel for the Respondents: Mr. N.V. Ramana, -

CORAM :

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

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

(13)

O.A.NO.1069/94.

JUDGMENT

Dt: 31.8.1994.

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

Heard Shri K.Janardhana Rao, learned counsel for the applicant and Shri N.V.Ramana, learned standing counsel for the respondents 1 and 2.

2. The applicant who is now working as Post Master of Head Post Office, Adoni is transferred and posted as Assistant Post Master (Accounts) in the same post office in which post R-3 is now working. R-3 is being promoted under BCR scheme with effect from 1.10.1991 as per the proceedings dated 24.8.1994 (page 2 of the material papers). On such promotion, R-3 is now transferred as Post Master, Adoni Head Post Office.

3. The order transferring R-3 as Post Master and the applicant as Assistant Post Master (Accounts) in Adoni Head Post Office is being challenged in this OA.

4. The applicant was promoted under BCR scheme in 1992 while R-3's promotion under BCR scheme is with effect from 1.10.1991 and thus R-3 is senior to the applicant.

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5. But in para 6(c) of the OA, it is alleged that R-3 ~~ix~~ has no objection to continue in the post of Assistant Post Master (Accounts) either at Adoni or at Kurnool and he is not interested in assuming the <sup>post</sup> office of Post Master, Adoni. The grievance of the applicant is that when all along he is working as Post Master in Adoni Head Post Office, R-3 is working as only Assistant Post Master in the same office and as the posts were altered between him and R-3, it will be <sup>an</sup> embarrassment for him. It is also submitted for the applicant that ~~he~~ he has no objection if he is transferred to other unit at the end of academic year.

6. In the circumstances, we feel that it is just and proper to suspend the impugned Memo No. ST-1/BCR/KNL, dated 24.8.1994 of R-2 to the extent of transfers of the applicant and R-3, if a joint application is going to be filed by the applicant and R-3 <sup>requesting for continuing</sup> ~~for keeping~~ them in their respective posts, by 5.9.1994. If such joint application is not going to be submitted to R-2 by that date, this OA stands dismissed. But if such joint application is going to be submitted, the memo dated 24.8.1994 stands suspended till the ~~a~~ said joint application is disposed of.

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7. It is needless to say that if the joint application as referred to above is not going to be filed, the applicant is not debarred from making a representation for his transfer from Adoni at the end of the academic year and if such representation is going to be made, it has to be considered on its merits.

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

  
(A.B. GORTHI)  
MEMBER (ADMN.)

  
(V. NEELADRI RAO)  
VICE CHAIRMAN

DATED: 31st August, 1994.  
Open court dictation.

  
Dy. Registrar (J) CC

vsn

To

1. The Postmaster General, Kurnool Region (A.P.S.R.)  
Dept. of Posts, Kurnool-5.
2. The Director of Postal services,  
Kurnool Region (A.P.S.R.) Dept. of Posts,
3. A. Suvarna, Asst. Postmaster (Accounts)  
Adoni, Kurnool Dist.
4. One copy to Mr. M.P. Chandramouli, Advocate, 1-7-139/1,  
S.R.K. Nagar, Musheerabad, Hyderabad-48
5. One copy to Mr. N.V. Ramana, Addl. CGSC. CAT. Hyd.
6. One copy to Library, CAT. Hyd.
7. One spare copy.

pvm

8-2-1995 11:30 PM

*c.c. to doct*  
*1/9/94*  
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

*A B Goshthi*  
THE HON'BLE MR. F. RANGARAJAN : M(A.D.N)

DATE: 31-8-1994

ORDER/JUDGMENT

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

in

O.A.No.

(T.A.No.

*1069/94*  
(W.P.NO

Admitted and Interim directions  
Issued.

Allowed.

Disposed of with directions. *at*

Dismissed

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected

No order as to costs.

pvm

