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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

MISCELLANEOUS-APPLICATION-(SR)-No.57-of-1997

in
ORIGINAL-APPLICATION-No.1209-of-1995

DATE-OF-ORDER:-14th-February,-1997

BETWEEN:

SYED AKBAR

.. APPLICANT

AND

1. Union of India rep. by the
Chief Postmaster General,
Andhra Pradesh Circle, Hyderabad-1,

2. The Sr. Superintendent of Post Offices,
Secunderabad Division,
Hyderabad 500 016,

3. The Sub Divisional Inspector (Postal),
Vikarabad Sub Division,
Vikarabad 501 101.

.. RESPONDENTS

COUNSEL FOR THE APPLICANT: Mr.Y.APPALA RAJU

COUNSEL FOR THE RESPONDENTS: Mr.N.R.DEVARAJ, Sr.CGSC

CORAM:

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

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

ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.))

Heard Mr.Y.Appala Raju, learned counsel for the applicant and Mr.Satyanarayana for Mr.N.R.Devaraj, learned senior standing counsel for the respondents.

2. Office raised objection in regard to the maintainability of this M.A. The applicant was replied by

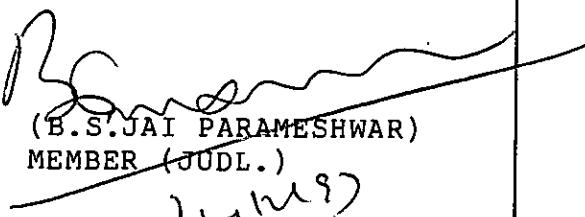
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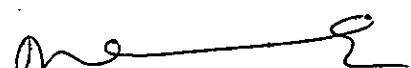
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the letter No.S3/ED/RR/94 dated 11.12.96 (Page 16 of the MA) in pursuance of the direction given in the OA. The applicant submits that the respondents have not implemented the order of the Tribunal fully in the spirit in which they have given. Hence filing of this MA is in order.

3. A reading of the reply shows that the respondents have not relaxed the educational qualification after consideration and rejected his case. Even if any reply is given, final result will be the same as indicated by the respondents as above. Hence there will be no purpose if a direction is given in the MA for giving a speaking order in this connection. Hence we are of the opinion that the applicant can only challenge that reply given if he is so advised in accordance with law on the basis of the various contentions raised in this MA and the other contentions that are available to him. In view of the above, we agree with the objection raised by the office and reject this MA. However, rejection of this MA will not stand in the way of the applicant to file a fresh OA challenging the reply given by the respondents dated 11.12.96.

4. The MA is disposed of as above. No costs.


(B.S.JAI PARAMESHWAR)
MEMBER (JUDL.)


(R.RANGARAJAN)
MEMBER (ADMN.)

DATED:-14th-February,-1997
Dictated in the open court.

vsn


D.R(J)

3.3..

M.A.SR.NO.57/97

O.A.NO.1209/95

Copy to:

1. The Chief Postmaster General, A.P.Circle, Hyderabad.
2. The Senior Superintendent of Post Offices, Secunderabad Division, Hyderabad.
3. The Sub Divisional Inspector(Postal), Vikarabad Sub Division, Vikarabad.
4. One copy to Mr.Y.Appala Raju, Advocate, Plot No.132, Indraprastha Township (Phase-I) Vinayanagar, Saidabad, Hyderabad.
5. One copy to Mr.N.R.Devraj, Sr.CGSC, CAT, Hyderabad.
6. One copy to D.R(A), CAT, Hyderabad.
7. One copy to Library, CAT, Hyderabad.
8. One duplicate copy.

YLKR

9/2/97
TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMIN.

HYDERABAD APPELLATE TRIBUNAL
HYDERABAD

THE HON'BLE SHRI R. RANG

AND

N: M(A)

THE HON'BLE SHRI B.S. JARI PA

SHJAR:

DATED: 14/2/97

Order/Judgement

R.P/C.P/M.A. SR. 57/97

in

O.A. NO. 1209/95

COMMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS.

II COURT

YLR

केन्द्रीय प्रशासनिक अधिकार
Central Administrative Tribunal
DESPATCH

14 MAR 1997 N.D.

हैदराबाद न्यायालय
HYDERABAD BENCH