

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH: AT
HYDERABAD.

C.A.NO. 776/95.

DATE OF JUDGMENT: 20-07-95.

BETWEEN:

N.N.Babaji .. Applicant.

AND

1. Secretary to Govt. of India,
Dept. of Posts, New Delhi.

2. Chief Post Master General,
Andhra Pradesh Circle,
Hyderabad.

3. N.P. Mutyalappa

4. D. Moses

5. A.Ramakrishnaiah .. Respondents.

COUNSEL FOR THE APPLICANT: SHRI K.S.R.Anjansyulu.

COUNSEL FOR THE RESPONDENTS: SHRI K. Ramulu
Sr/Addl.CGSC.

CORAM:

HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN
HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

To

1. The Secretary to Govt.of India,
Dept.of Posts, New Delhi.
2. The Chief Postmaster General,
A.P.Circle, Hyderabad.
3. One copy to Mr.K.S.R.Anjaneyulu, Advocate, CAT.Hyd.
4. One copy to Mr.K.Ramulu, Addl.CGSC.CAT.Hyd.
5. One copy to Mr.N.P.Mutyalappa, Superintendent of Post Offices, Nandyal.
6. Mr.D.Moses, Superintendent RMS, V.Division, Visakhapatnam.
7. Mr.A.Ramakrishnaiah, Superintendent of Post Offices, Guntakal.
8. One copy to Library, CAT.Hyd.
9. One spare copy.

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OA.776/95

Judgement

(As per Hon. Mr. Justice V. Neeladri Rao, VC)

Heard Sri K.S.R. Anjaneyulu, learned counsel for the applicant and Sri K. Ramulu, learned counsel for the respondents.

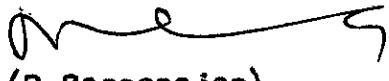
2. This OA is filed praying for declaration that the seniority list of P.S.S. Group-B as on 1-1-1995 is prior to the judgement in the case of Virpal Singh Chantan vs. Union of India and others (SLJ 1987(2) CAT 534) delivered by CAT, as arbitrary and untenable, and set aside the same, and for consequential direction to the respondents to give seniority in accordance with the above judgement.

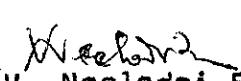
3. The judgement in CAT in Virpal Singh Chantan has to be held as per incuriam in view of the judgement in AIR 1989 SC 261 (Karamchand vs. Haryana State Ele. Board). Accordingly this OA is liable to be dismissed.

4. But as it is stated that SLP against the judgement in Virpal Singh Chantan case is pending and as the judgement in the said case is not suspended, it is just and proper to give opportunity to the applicant to file Review Application if the said SLP is going to be dismissed.

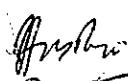
5. In the result this OA is dismissed. But the applicant is free to move this Tribunal by way of Review Application if the SLP against the judgement in Virpal Singh Chantan case is going to be dismissed. No costs.

6. The OA is ordered accordingly, at the admission stage. //


(R. Rangarajan)
Member(Admn)


(V. Neeladri Rao)
Vice Chairman

Dated : July 20, 1995
Dictated in Open Court


Deputy Registrar
OC

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR.JUSTICE V.NEELADRI RAO
VICE CHAIRMAN

A N D

THE HON'BLE MR.R.RANGARAJAN: (M(ADMIN)

DATED - 20/7/1995.

ORDER/JUDGMENT:

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

in
OA. No.

TA. No.

776/95.

(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.

NO SPARE COPY

