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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No. 567/95

Date of Order : 27.10.97

BETWEEN :

T.Aswathnarayana

.. Applicant.

AND

1. Union of India, rep. by the Secretary, Ministry of Communications, New Delhi.
2. The Superintendent, RMS, AG Division, Guntakal.
3. Director of Postal Services, PMG, A.P.S.E., Kurnool.
4. The Director General of Postal Services, Abids, Hyderabad.

.. Respondents.

Counsel for the Applicant

.. Mrs.P.Revathi

Counsel for the Respondents

.. Mr.K.Bhaskara Rao

CORAM:

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

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

O R D E R

X As per Hon'ble Shri R.Rangarajan, Member (Admn.) X

None for the applicant. Mr.K.Bhaskara Rao, learned standing counsel for the respondents.

2. The applicant in this OA submits that he had worked as EDMM from 9.3.85 to 22.5.85 continuously without any break at Cuddapah under R-2. It is stated that the applicant submitted a representation after the judgement dated 25.2.94 of this Tribunal to treat his case with similarly situated employees as per his representation dated 13.3.95 (A-4) and subsequently also he is making representations dated 9.12.94 and 30.12.95

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(A-2 & 3). It is stated that no action has been taken on his representation.

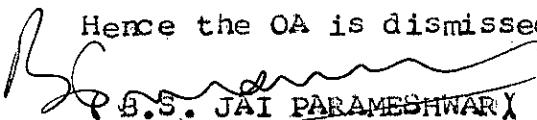
3. This OA is filed praying for a direction to the respondents to consider the case of the applicant for appointment in a suitable post taking his past service as EDMM into consideration following the principles laid down in O.A. 269/93 etc dated 25.2.94.

4. A reply has been filed in this OA. As per the reply the applicant had never worked as a regular EDMM or as provisional EDMM. He worked as ED substitute in various spells during the year from 9.3.85 to 13.12.88 as nominee of the absentee ED Agent.

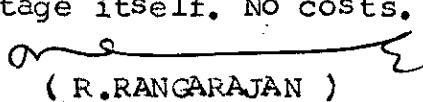
the learned counsel for the respondents relying on the judgement in OA. 269/93 etc. The respondents further submits that ~~he~~ worked at SRO Cuddapah against the post of Sweeper-cum-Watermen for four hours. He worked as ED substitute from 9.3.84 to 13.12.88 in various spells total 1270 days. When selection for EDMM at various SROs were called for and selections were made for among those who were present for the interview, the applicant unauthorisedly absent from duty from 13.12.88. In the circumstances the learned counsel for the respondents submits the applicant has not made out any case.

5. The applicant has not filed any rejoinder. Hence when the respondents submit~~s~~ the details on the basis of the records the same cannot be said to be incorrect. Further substitute ED Agent has no right for regularisation on that basis. They can apply when applications were called for and take ~~that~~ chance along with others.

6. In view of what is stated above we find no merits in this OA. Hence the OA is dismissed at the admission stage itself. No costs.


B.S. JAI PARAMESHWAR
Member (Jud.1.)

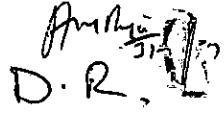
24/97


(R. RANGARAJAN)
Member (Adm.)

Dated : 27th October, 1997

(Dictated in Open Court)

sd


D.R.

OA.567/95

Copy to:-

1. The Secretary, Ministry of Communications, New Delhi.
2. The Superintendent, RMSp, AG Division, Guntakal.
3. The Director of Postal Services, PMG, APSE., Kurnool.
4. The Director General of Postal Services, Abids, Hyderabad.
5. One copy to Mrs.P.Revathi, Advocate, CAT., Hyd.
6. One copy to Mr. K.Bhaskara Rao, Addl.CGSC., CAT., Hyd.
7. One copy to D.R.(A), CAT., Hyd.
8. One duplicate copy.

SRR

10/11/97 (8)

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

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

Dated: 27-10-97

ORDER/JUDGMENT

M.A/R.A/C.A.NO.

in
O.A.NO. 567 /95

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

YLR

II Court

