

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 1043/96

Date of Order : 22.9.98

BETWEEN :

P.Fakrulla Khan

.. Applicant.

AND

1. Supdt. of Post Offices,
Hindupur Division,
A nantapur District,
A ndhra Pradesh.

2. Sub-Divisional Inspector of
Posts, Kadri Sub-Division,
Kadri, A nantapur Dist.

.. Respondents.

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Counsel for the Applicant

.. Mr.S.Ramakrishna Rao

Counsel for the Respondents

.. Mr.K.Bhaskara Rao

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CORAM :

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

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

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O R D E R

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

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Mr.S.Ramakrishna Rao, learned counsel for the
applicant and none for the respondents.

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2. The applicant was working as a provisional EDDA of Kadirī Brahmanapalli Village, Branch Office. A notification dated 8.8.96 was issued to fill up the said post by ^{regular} a candidate.

3. The applicant filed this OA for a declaration that the selection process initiated by the respondents by notification dated 8.8.96 including the case of the applicant who has been working since 18.5.94 is totally contrary to law, rules and all principles of natural justice.

4. On 2.9.96 an interim order was passed indicating that any appointment made to the post of EDDA, Kadirī Brahmanapalli, Kadirī Mandal, A nantapur District, is subject to the out come in this OA.

5. It is submitted by the learned counsel for the applicant that regular candidate had been posted pursuant to the said notification. The selected candidate is not impleaded as a party. In the absence of ^{impleading} the selected candidate it may not be possible for us to give any direction in the OA, if it is going to affect the selected candidate. The learned counsel for the applicant submitted that he will file an implead ^{impleading} petition for the selected candidate. But this OA has been filed on 27.8.96. Hence allowing him to file an impleading ^{now} petition in this OA will delay the case unnecessarily.

However, the applicant is at liberty to file a fresh OA for challenging the selection proceedings and appointing the selected candidate. If such an OA is filed that will be

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considered in accordance with the law. But to assist the applicant in that connection the period from 27.8.96 till today will not be counted for purpose of limitation if such a question arises when a fresh OA is filed as indicated above.

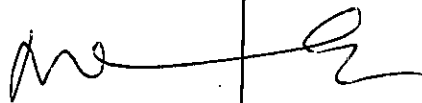
6. In view of the above, the OA is disposed of.

No costs.



(B.S. JAI PARAMESHWAR)
Member (Judl.)

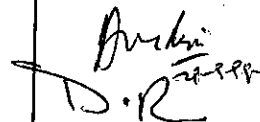
20.9.98



(R. RANGANATHAN)
Member (Admn.)

Dated : 22nd September, 1998

(Dictated in Open Court)


D.R.

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Copy to:

1. Superintendent of Post Offices, Hindupur Division, Ananthapur District, Andhra Pradesh.
2. Sub Divisional Inspector of Posts, Kadri Sub Division, Kadri, Ananthapur District.
3. One copy to Mr. S. Ramakrishna Rao, Advocate, CAT, Hyderabad.
4. One copy to Mr. K. Bhaskara Rao, Addl. CGSC, AT, Hyderabad.
5. One copy to D.R(A), CAT, Hyderabad.
6. One duplicate copy.

YLKR

23/10/1986

II COURT

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 22/10/86

ORDER/JUDGMENT

M.A./R.A./C.P.NC.

in

G.A. NO.

1043/86

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLKR

