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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

MISCELLANEOUS APPLICATION NO.749 of 1996
IN
ORIGINAL APPLICATION NO.762 of 1996

DATE OF ORDER: 22nd August, 1996

BETWEEN:

V.RAMAI AH

.. APPLICANT

AND

1. The Superintendent of Post Offices,
Khammam Division, Khammam,

2. The Chief Postmaster General,
A.P.Circle, Hyderabad.

.. Respondents

COUNSEL FOR THE APPLICANT: SHRI S.RAMAKRISHNA RAO

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

CORAM:

HON'BLE SHRI JUSTICE M.G.CHAUDHARI, VICE CHAIRMAN

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

ORDER

(PER HON'BLE SHRI JUSTICE M.G.CHAUDHARI, VICE CHAIRMAN)

Mr.S.Ramakrishna Rao for the applicant. Mr.
N.R.Devaraj, Senior Standing Counsel for the respondents.

2. This application is wholly misconceived and is not maintainable in law. By the order in the O.A, the applicant was given one more opportunity to pass intermediate examination by appearing at the instant examination being held on 27.6.96 by treating it as 1996 examination for the purpose of giving benefit of the order dated 23.3.94 in O.A.NO.481/93. It was provided in the

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order itself ^{that} ~~thereafter~~ that the concession being given shall be final and will not apply to the examination to be held after the current examination. Precisely, the present application has been filed for the direction to give him a further chance although it is not open to him to make such an application in view of the conditions stipulated in the order in the O.A. itself. In the instant application, it is stated that in pursuance of the order in the O.A, he did appear in the intermediate examination on 27.6.96. Thus the order was complied with and there is nothing ^{the} ~~survives~~ relating to the order thereafter. According to the applicant he could not fare well in the examination for several reasons and, therefore, he wants now further direction to allow him to appear in the supplementary examination to be held on 17.10.96 ^{and} onwards. Such a direction cannot be given in an O.A. which has been finally disposed of and ^{the} Court is functus officio insofar as that O.A. is concerned. The direction as such does not flow from the order on the O.A. but it is otherwise. Such a direction, therefore, cannot be sought by the application of the present nature. An application for seeking directions can be filed only for the purpose of implementation of the original order. Since this is different than that course, it is misconceived. Moreover when advisedly it was made clear in the order in the O.A. that only one more concession has been given and that was final and there will be no liberty to apply for the same thereafter, it is clearly not permissible for the applicant to file the instant M.A. The M.A. is, therefore, rejected.

(R. RANGARAJAN)
MEMBER (ADMN.)

(M. G. CHAUDHARI)
VICE CHAIRMAN

DATED: 22nd August, 1996
Open court dictation.

vsn

Amby 30.8.96.
Deputy Registrar (DCC)

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G.A. 749/96

1. The Superintendent of Post Offices,
Khammam Division, Khammam.
2. The Chief Postmaster General,
A.P.Circle, Hyderabad.
3. One copy to Mr.S.Ramakrishna Rao, Advocate, CAT.Hyd.
4. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
5. One copy to Library, CAT.Hyd.
6. Onespere copy.

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07/19/96

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE M.G. CHAUDHARI
VICE-CHAIRMAN

AND

Ranga Rao

THE HON'BLE MR. ~~R.~~ RAJENDRA PRASAD: M(A)

Dated: 22-8-1996

ORDER / JUDGMENT

M.A./E.A./C.A. No. 749/96.

in

O.A.No. 762/96.

T.A.No.

(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.

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