

23

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No. 822/96

Date of Order : 23.11.98

BETWEEN :

1. E.Chandrasekhar

2. J.Rajaiah

.. Applicants.

AND

1. Chief Postmaster General
A.P.Circle, Hyderabad.

2. Postmaster General.
Hyderabad Region, Hyderabad.

3. Postmaster General,
Vijayawada Region, Vijayawada.

4. Superintendent of Post Offices,
Gudur Division, Gudur,
Nellore District.

.. Respondents.

— — —

Counsel for the Applicants .. Mr.S.Ramakrishna Rao

Counsel for the Respondents .. Mr.V.Bhimanna

— — —

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

— — —

Mr.S.Ramakrishna Rao, learned counsel for the applicants
and Mr.V.Bhimanna, learned standing counsel for the respondents

R

D

.. 2 ..

2. There are two applicants in this OA. They are aspirants for the post of Postman in Gudur division. Before they were considered for ^{the post of} Postmen they were working as ED Branch Post Master in Gudur Division. There were two posts of postmen ~~vacant~~ and both were not posted. The examination for the post of Postmen was held on 7.2.93 and both the applicants have ^d appeared and qualified but they were not considered.

3. In view of the situation they have filed this OA praying for a direction to appoint the applicants in the notified vacancies either in Gudur Division falling under the jurisdiction of IVth Respondent or in Hyderabad City Region falling under the jurisdiction of Ist and IIInd respondents and with all consequential benefits.

4. After the results were pronounced a request was made by the Hyderabad region to inform the selected candidate, who were willing to absorb in Hyderabad region as there were no suitable candidate available in Hyderabad city region. Both the applicants had given the willingness which was also transmitted to the Directorate. The Directorate rejected the proposal. However an order was passed to redraft the merit list candidate in view of the fact that the candidate selected earlier ^{on} merit ^{was} not found to be in order. On the basis of the review, applicant No. 2 was found fit for promotion and accordingly it is stated in the reply that

Pr *A*

.. 3 ..

had
J.Rajaiah applicant No.2 who had secured the highest marks and got selected is being absorbed shortly. In view of the above the OA has to be adjudicated only in case of applicant No.1 and not applicant No.2 who had already been selected and is being posted.

5. Applicant No.1 was at Sl.No.7 in the select list as can be seen from Annexure-1 details. The Directorate has rejected the proposal to post any of the selected candidate in Hyderabad City Region even though they were recommended by the Post Master General, Vijayawada Division. Hence the applicant cannot demand as a matter of right to be posted in Hyderabad City Region just because his willingness was asked from him and accordingly he had given his willingness. It is for the Directorate to decide whether the willing employee had to be absorbed in Hyderabad City Region or not. As the Directorate does not agree to the proposal, the question of granting him relief to post him in Hyderabad City Region does not arise.

6. It is stated by the applicant No.1 that he was not selected even against the seniority quota. The applicant has not brought out any details in regard to the present contention of the junior having been posted against the seniority quota and such other requisite details. A reading of the reply indicates that the applicant was not superseeded. However, we leave this issue open and the applicant ^{No.1} is at liberty to

Pr

D

.. 4 ..

initiate such proceedings as deemed fit in case he has been superseeded in the seniority quota.

7. In view of what is stated above the case of the applicant No.2 need not be examined as he had already been selected. Direction is to be given only in case of Applicant No.1 only.

8. Under the above facts and circumstances the following direction is given in regard to applicant No.1

(1) If the applicant No.1 has been selected in the ~~and~~ selection and comes in the number to be appointed in Gudur Division he should be issued with the order within a period of 2 months from the date of receipt of a copy of this order following ~~the~~ extant rules.

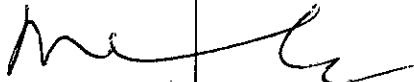
(2) The applicant is at liberty to initiate such judicial process in case he is aggrieved by his non selection against the seniority quota if promotion against that quota is carried out.

9. The OA is disposed of as above. No costs.


(B.S. JAI PARAMESHWAR)

Member (Jud1.)

23.11.98

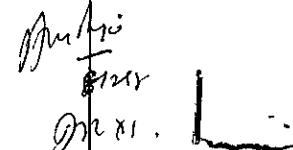

(R. RANGARAJAN)

Member (Admn.)

Dated : 23rd November, 1998

(Dictated in Open Court)

sd


23/11/98
R. RANGARAJAN
Member (Admn.)

O.A. NO. 822/96 :-

copy to :-

- 1) chief post master general, A.P. circle, Hyderabad.
- 2) postmaster general, Hyderabad region, Hyderabad.
- 3) postmaster general, Vijayawada Region, Vijayawada.
- 4) Superintendent of Post Offices, Gudur Division, Gudur, Nellore District.
- 5) copy to M. J. Rama Krishna Rao, Advocate, C.A.T, Hyd.
- 6) copy to M. V. Blimanna, Addl. CGSC, C.A.T, Hyd.
- 7) copy to D.R.(A), C.A.T., Hyderabad.
- 8) one duplicate copy.

15/12/98

II COURT

TYPED BY
COMPARED BY

CHECKED BY
APPR VED BY

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: 23 - 11 - 98

ORDER/JUDGMENT

M.A/2.A/2.11.98

in
C.A. NO. 822/96

ADMITTED AND INJURIOUS DIRECTIONS
ISSUED

ALLOWED

IMPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

despatch 158 B
YLKR

