

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.1770/97

DATE OF ORDER : 28-1-1998.

Between :-

Guddati Gowrisankara Rao

.... Applicant

And

1. The Superintendent of Post Offices,
Kakinada, E.G.District.
2. The Sub-Divisional Inspector (Postal),
Sub-Division, Peddapuram, E.G.District.

.... Respondents

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Counsel for the Applicant : Shri K.Rama Krishna

Counsel for the Respondents : Shri N.R.Devaraj, Sr.CGSC

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CORAM:

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

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

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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... 2.

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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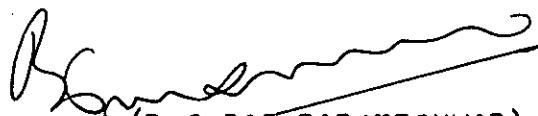
Heard Sri K.Ramakrishna, counsel for the applicant and Sri N.R.Devaraj, standing counsel for the respondents.

2. The applicant in this O.A. was appointed as EDMC on provisional basis at P.Yerragonda Branch Office by order dt.28-6-97 (Annexure-I; page-6 to the OA). The services of the applicant were terminated. Hence this O.A. is filed to reinstate him as EDMC at P.Yerragonda Branch Office by holding the oral termination order as illegal, arbitrary, violative of principles of natural justice and also violative of Article 14 and 16 of the constitution of India.

3. The applicant submits that he is an experienced candidate and hence his termination by oral order is irregular. His earlier engagement should have been taken note of and on that basis he should have been ^{appointed} ~~engaged~~ as EDMC on regular basis.

4. Sri NR Devaraj, standing counsel for the respondents on the basis of the para-wise comments and also on the basis of the selection proceedings submits that one Sri K.R.Prasad was regularly appointed as EDMC. Even the applicant ^{had} ~~was~~ also applied for that post. Both Sri K.R.Prasad and applicant fulfilled all the conditions. Hence the ~~meritorious~~ ^{Examination} meritorious candidate who obtained more marks in the SSC ^{Examination} was selected. This fact has not been brought out by the applicant. This is a gross violation but he being a poor employee, we do not like to pass any adverse remarks on him.

We leave it at that. The applicant relies on the judgement of Hon'ble Supreme Court rendered in Omprakash Goel Vs. Himachal Pradesh Transport Corporation (1991 (2) SLR 796) to state that his case is similar to the case referred to ^{ab} ~~be~~ above. A reading of the judgement shows that the case has no relevance to the facts of this case. Hence the citation will be of no use to the applicant. In view of what is stated, we find no merit in this O.A. Hence we dismiss the O.A. at the admission stage itself. No order as to costs. (The selection proceedings were perused and returned ~~back~~).



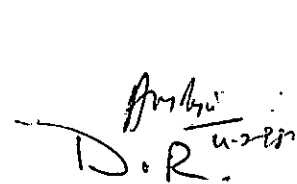
(B.S. JAI PARAMESHWAR)
Member (J)

28-1-97



(R.R. ANGARAJAN)
Member (A)

Dated: 28th January, 1998.
Dictated in Open Court.


D.R.

avl/

DA.1770/97

Copy to:-

1. The Superintendent of Post Offices, Kakinada, E.G.District.
2. The Sub-Divisional Inspector (Postal), Sub-Division, Peddapuram E.G.District.
3. One copy to Mr. K.Rama Krishna, Advocate, CAT., Hyd.
4. One copy to Mr. N.R.Devaraj, Sr.CGSC., CAT., Hyd.
5. One copy to D.R.(A), CAT., Hyd.
6. One duplicate copy.

srr

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR. B. RANGARAJAN : M(A)

AND

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

DATED: 28/1/98

ORDER/JUDGMENT

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

in

C.A.NO.

1770/97

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS.

II COURT

YLKR

