

(15)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A. 319/97.

Dt. of Decision : 17-04-97.

L. Sampathi

.. Applicant.

Vs

1. The Asst. Superintendent of Post Offices,
Huzurabad Sub-Division, Dist. Karimnagar.

2. The Superintendent of Post Office,
Peddapalli Division, Peddapalli,
Karimnagar Dist.

3. B. Nadhu

.. Respondents.

Counsel for the applicant

: Mr. K. Vasudeva Reddy

Counsel for the respondents

: Mr. N. R. Devaraj, Sr. CGSC for R-1&2.

Mr. K. S. R. Anjaneyulu for R-3.

CORAM:

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

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

ORDER

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

None for the applicant. Heard Mr.N.R.Devaraj for the official respondents and Mr.Subramanyam for Mr.K.S.R.Anjaneyulu for R-3.

2. In this OA the applicant submits that he is a regularly selected candidate for the post of EDMC, Ammanagurthy Village. He was informed by the impugned memo No.PP/EDMC/A dated 8-2-96 (8-2-97) (Annexure-IV to the OA) that ~~it~~ it was not possible to make regular appointment to the said post immediately.

3. The applicant having aggrieved by the impugned letter had^s filed this OA for the following relief:-

a) praying for a declaration that the action of the respondents in not appointing him as EDMC, Ammanagurthy B.O., is illegal, arbitrary

b) to set aside the impugned memo No.PP/EDMC/A dated 8-2-96 (8-2-97) (Annexure-IV to the OA) and

c) for a direction to the official respondents to appoint him as EDMC, Ammanagurthy B.O., A/W Vangara, Huzurabad Sub-Division; duly granting all consequential benefits.

4. R-3 was appointed on a provisional basis as EDMC. The regular candidate when posted, ~~as~~ the provisional appointments have to be terminated. The learned counsel for the official respondents submits that there is no irregularity in appointing the provisional candidate to tide over the situation. There is no ~~other~~ meaning ^{that} can be attached to the provisional appointment of R-3,

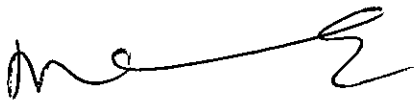
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The learned counsel for the official respondents under instruction from his client now submits that the applicant will be posted as EDMC, Ammanagurthy B.O., regularly.

5. In view of the above nothing survives in this OA. If R-3 is aggrieved by the selection and post of the applicant he is at liberty to take such legal remedial measures as are available to him.


6. In view of the above, the OA is dismissed as infructuous. No costs.


(E.S. BAI PARAMESHWAR)
MEMBER(JUDL.)


(R. RANGARAJAN)
MEMBER(ADMN.)

Dated : The 17th April 1997.
(Dictated in the Open Court)

spr


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D.R.(S)

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3.3.

Copy to:

1. The Asst. Superintendent of Post Offices, Huzurabad Sub Division, Karimnagar District.
2. The Superintendent of Post Offices, Peddapalli Division, Peddapalli, Karimnagar District.
3. One copy to Mr. K. Vasudeva Rao, Advocate, CAT, Hyderabad.
4. One copy to Mr. N. R. Devraj, SR. CGSC, CAT, Hyderabad.
5. One copy to Mr. K. S. R. Anjaneyulu, Advocate, CAT, Hyderabad.
6. One copy to D. R. (A), CAT, Hyderabad.
7. One duplicate copy.

YLKR

8/6/97

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 17/4/97

ORDER/JUDGEMENT

R.A/C.P/M.A.No.

in

G.A.No: 319/97

ADMITTED INTERIM DIRECTIONS ISSUED
ALLOWED
DISPOSED OF WITH DIRECTIONS
DISMISSED ✓
DISMISSED AS WITHDRAWN
ORDERED/REJECTED
NO ORDER AS TO COSTS

YLKR

II COURT

केन्द्रीय प्रशासनिक न्यायालय
Central Administrative Tribunal
HYDERABAD BENCH
18/4/1997
हैदराबाद न्यायपीठ
HYDERABAD BENCH