

(21)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No. 428/97

Date of Order: 10.4.97

BETWEEN :

N.Bikshamaiah .. Applicant.

AND

1. Superintendent of Post Offices,
Suryapet Division, Suryapet,
Nalgonda Dist.

2. The Director of Postal Services,
Hyderabad Region, Hyderabad.

.. Respondents.

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

Counsel for the Respondents .. Mr.N.R.Devraj

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CORAM:

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

J U D G E M E N T

X O ral order as per Hon'ble Shri R.Rangarajan, Member (Admn.) X

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Heard Mr.S.Ramakrishna Rao, learned counsel for the applicant and Mr.N.R.Devraj, learned standing counsel for the respondents.

2. Though this OA is not posted today, the OA is called with the consent of both the parties as the prayer in this OA is similar to the prayer in OA.413/97 which was disposed of today.

3. The applicant was posted on ad hoc basis as Mail Overseer, Suryapet Division by order No.B1/MOS/92-93 dated 29--9--1992 (Annexure A-II, page 13 of the OA).



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He was later sent for training by Order No.B1/MO/92 dated 29--10--1992 (Annexure No.III to the OA) before assuming charge as Mail Overseer.

4. It is stated that, earlier in the year, 1995 the applicant was sought to be reverted; but he appealed to the Post Master General, Hyderabad Division, Hyderabad for reviewing that Order. On appeal, the earlier order was cancelled on 25--4--1995 and he was continuing on adhoc basis as Mail Overseer. By the impugned Order B1/MOS dated 25--3--1997 the applicant who is working as Mail Overseer on adhoc basis is ordered to be reverted and allotted to Suryapet Head Office Unit for posting him in regular post in his earlier capacity as Post Man.

5. The applicant has filed a representation dated 26--3--1997 to the 2nd respondent requesting for his retention as Mail Overseer. It is stated that the said representation is yet to be disposed of.

6. This OA is filed for setting aside the impugned order No.B1/MOS dated 25--3--1997 of the 1st respondent reverting him from the post of Mail Overseer and posting him to work in the post of Postman, Suryapet by holding that the Order is arbitrary, illegal, unwarranted and for a consequential direction to the 1st respondent to continue him in the post of Mail Overseer on regular basis taking into consideration the continuous adhoc service rendered by him with effect from 29--9--1992 with all consequential benefits.

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7. I do not want to express any opinion at this juncture in regard to the impugned order. If any opinion is expressed at this juncture, probably that would be taken as an Order and his representation dated 26--3--1997 may be disposed of on that basis. Hence, the only direction that can be given in this O.A., is to direct Respondent No.2 to dispose of the representation of the applicant dated 26--3--1997 in accordance with the rules. It is also made clear that if the reliever to the applicant posted as Mail Overseer, Suryapet has not relieved of his post as on date to take up the job as Mail Overseer, Suryapet, then the applicant should not be reverted till such time his representation dated 26--3--1997 is disposed of by the Respondent No.2.

8. In the result the following direction is given:

- i) that the Respondent No.2 is directed to dispose of the representation of the applicant dated 26.3.1997 within a period of two months from the date of receipt of a copy of this Order.
- ii) that if a reliever to the applicant as Mail Overseer is already posted and if that replacing employee is not yet relieved as on date, the applicant should not be reverted till his representation dated 26-3-1997 is disposed of by the Respondent No.2.

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9. The O.A., is ordered accordingly at the admission stage itself. No costs.

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(R. RANGARAJAN)
Member (Admn.)

Dated: 10th April, 1997

(Dictated in Open Court)

sd

DR (J)
16-4-97

28/4/97

28/4/97
urgent (b)

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 10. 4. 97

ORDER/JUDGEMENT

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

in

D.A. NO. 428/97

ADMITTED INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLR

II COURT

