

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH  
AT HYDERABAD

OA.586/97

dt.7-5-97

Between

S. Rajulu

: Applicant

and

1. Post Master General  
Visakhapatnam

2. Senior Superintendent of  
Post Offices  
Srikakulam

3. Sub Divnl. Inspector  
Post Offices  
Amadalavalasa Sub Divn.  
Amadalavalasa  
Srikakulam Dist.

: Respondents

Counsel for the applicant

: A. Rama Rao  
Advocate

Counsel for the respondents

: N.R. Devaraj  
CGSC

CORAM

HON. MR. R. RANGARAJAN, MEMBER (ADMN.)

HON. MR. B.S. JAI PARAMESHWAR, MEMBER (JUDL)

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## Judgement

Oral order (per Hon. Mr. R. Rangarajan, Member(Admn.))

Heard Sri A. Rama Rao for the applicant and Sri N.R. Devaraj for the respondents.

1. The applicant is an aspirant for the post of EDBPM post, Korlakota. Earlier he filed OA.1287/93 challenging the appointment of R-4 in the OA. That OA was disposed of by order dated 18-11-1996 by ~~setting aside~~ the appointment of R-4 in that OA and for a further direction to the respondents to fill up the post of EDBPM, Korlakota, regularly in accordance with rule.
2. This OA is filed to consider the applicant as EDBPM, Korlakota as he was already selected by the respondents and for a consequential direction to the respondents to consider him as BPM of that post office.
3. The applicant himself admits that the services of R-4 and in OA.1287/93 has already been terminated/ the post is vacant now. He submits that he is a selected candidate and hence he should be posted against that post, even if he cannot be posted immediately on regular basis he should be posted as provisional EDBPM till a regular candidate is posted.
4. The above submission of the applicant cannot be countenanced as the posting of suitable candidates is the prerogative of the Executive. We had already directed the authorities in OA.1287/93 to fill up the post of EDBPM in accordance with the rules. The respondent authorities must be examining the issue in depth. As the post is vacant

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and no body is posted the rights of the applicant is not infringed & he has no grievance as on date. If the applicant is aggrieved on posting anybody else over the applicant in the post of ED BPM he is at liberty to approach this Tribunal challenging that order, till then the applicant cannot make out a case for posting him in that post.

5. In view of what is stated above we are of the opinion that the case is filed prematurely. Hence it has to be dismissed as premature.

6. Accordingly the OA is dismissed as premature.

No costs.

(B.S. Jai Parameshwar)  
Member (Judl.)

7.5.97

Dated : May 7, 97  
Dictated in Open Court

(R. Rangarajan)  
Member (Admn.)

Avishwa  
D.R(J) 562

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3.4.33

Copy to:

1. The Postmaster General, Visakhapatnam.
2. Senior Superintendent of Post Offices, Srikakulam.
3. Sub Divisional Inspector, Post Offices, Amadalavalasa Sub Division, Amadalavalasa, Srikakulam Dist.
4. One copy to Mr. A. Rama Rao, Advocate, CAT, Hyderabad.
5. One copy to Mr. N. R. Devraj, Sr. CGSC, CAT, Hyderabad.
6. One copy to D.R. (A), CAT, Hyderabad.
7. One duplicate copy.

YLR

~~Self~~  
17/6/97

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TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD

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

AND

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

DATED:

7/5/97

ORDER/JUDGEMENT

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

in

D.A.NO. 586/97

Admitted and Interim directions  
Issued.

Allowed

Disposed of with directions,

Dismissed

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLKR

II Court.

Central Administrative Tribunal

Delhi/DESPATCH

13 JUN 1997

HYDERABAD BENCH