

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

C.A.951/97.Dt.of Decision: 09-04-99.

B.Parisudda Rao

.. Applicant.

Vs

1. The Union of India, rep. by the
Director of Posts, Sansad Marg,
Dak Bhavan, New Delhi.
2. The Chief Postmaster General,
A.P.Circle, Dak Sadan, Abids,
Hyderabad.
3. The Director of Accounts (Postal),
Abids, Hyderabad.

.. Respondents.

Counsel for the applicant : Mr.Krishna Devan

Counsel for the respondents : Mr.V.Rajeswara Rao, Addl.CGSC

Coram:

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

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

3

..2/-

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-2-

ORDER

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

Heard Mr.Krishna Devan, learned counsel for the applicant and Mr.V.Rajeswara Rao, learned counsel for the respondents.

2. The applicant submits that he has passed the JAO Part-II examination held in the month of August, 1991 and became eligible for promotion to the post of Junior Accounts Officer w.e.f., 7-1-92. The applicant submits that he is not promoted even though he can be promoted either against OC or SC vacancy against the roster point for filling up by the vacancy that had arisen on 7-1-92. The impugned order No.Vig/ST/16-4/SP/11/96 dated 24-1-97 (Annexure-7) is not very clear, as ^Kthe availability of the vacancy as on 7-1-92 and the communal break up of the vacancy on that date.

3. This OA is filed to set aside the impugned order No.Vig/ST/16-4/SP/11/96 dated 24-1-97 (Annexure-7) as arbitrary and illegal and for a consequential direction to recast the seniority and other consequential benefits by promoting the applicant w.e.f., 8-1-92.

4. The learned counsel for the respondents submitted that there were 10 vacancy^{-ies} as on 7-1-92. But he could not say the communal break of those 10 vacancies. It is not denied that the applicant became eligible on 7-1-92 for promotion to the post of JAO.



..3/-



5. In the facts and circumstances the following directions are given:-

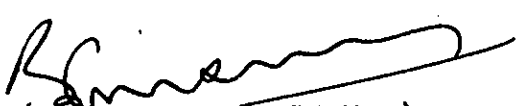
a) If the applicant is eligible for promotion as per his seniority against OC quota for the 10 vacancies he should be promoted, if he is otherwise eligible.

b) If he cannot be promoted against OC quota in view of the direction (a) above the case of the applicant should be considered for ~~xx~~ promotion to the post of JAD against SC quota as per his seniority and if ~~he~~ found suitable he should be promoted against the SC quota.

If he can be promoted in any one of the quota either OC or SC ^{then} that promotion ~~to~~ take effect from 8-1-92.

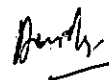
6. With the above direction the OA is disposed of.

No costs.


(B.S. JAI PARAMESHWAR)
MEMBER (JUDL.)
9.4.99


(R. RANGARAJAN)
MEMBER (ADMN.)

Dated : The 9th April, 1999.
(Dictated in the Open Court)


13.4.99.

spr

COPY TO:-

1. HON'D
2. HHRP M(A)
3. HOSJP M(3)
4. B.R.(A)
5. SPARE

1ST AND 2ND COURT

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

THE HON'BLE MR. JUSTICE D.H. NASIR :
VICE - CHAIRMAN

THE HON'BLE MR. H. RAJENDRA PRASAD :
MEMBER (A)

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

THE HON'BLE MR. B.S. JAI PARAMESWAR :
MEMBER (3)

DATED: 9-4-79

ORDER / JUDGEMENT

MA./R.A./C.P.No.

IN

C.A. No. 951/57

ADMITTED AND INTERIM DIRECTIONS
ISSUED.

ALLOWED.

C.P. CLOSED.

R.A. CLOSED.

DISPOSED OF WITH DIRECTIONS.

DISMISSED.

DISMISSED AS WITHDRAWN.

ORDERED/REJECTED.

NO ORDER AS TO COSTS.

SRR

केन्द्रीय प्रशासनिक न्यायिक निकाय
Central Administrative Tribunal
नियम / DESPATCH

26 APR 1999

हैदराबाद न्यायपीठ
HYDERABAD BENCH