

(B)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.786/97

Date of Order: 27.6.97

BETWEEN:

G.V.Venkateswarlu

.. Applicant.

AND

1. The Chief Postmaster-General,
A.P.Circle (Rep. Union of India),
Hyderabad.
2. The Postmaster-General,
A.P.Northern Region,
Visakhapatnam.
3. The Supdt. of POS,
Amalapuram.

.. Respondents.

- - -

Counsel for the Applicant

.. Mr.C.Suryanarayana

Counsel for the Respondents

.. Mr.N.R.Devraj

- - -

CORAM:

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

HON'BLE SHRI A.M.SIVA DAS : MEMBER (JUDL.)

- - -

J U D G E M E N T

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

4- -

Heard Mr.C.Suarayanarayana, learned counsel for the applicant and Mr.N.R.Devraj, learned standing counsel for the respondents.

2. The applicant was appointed provisionally as EDBPM, Podagatlapalli B.O. w.e.f. 29.12.93 against the vacancy of regular incumbent ^{who had} ~~having~~ been put off from duty on the basis of the disciplinary proceedings initiated against the regular incumbent. It is stated that the regular incumbent was reinstated



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and the applicant was discharged from service on 27.1.97. The applicant now submits that he had served in the provisional capacity as EDBPM for more than 3 years. Hence relying on the DG P&T letter No. 43-4/77-Pen dt. 18.5.79 (A-4) the applicant submits that his name should be included in the waiting list of ED Agents ^{ed}discharging from service prescribed in DG P&T letter No. 43-4/77-Pen, dt. 23.2.79. The applicant has submitted a representation dt. 4.2.97 (A-1) and also another representation dt. 1.5.97 (A-3) for the above relief.

3. This OA is filed praying for a direction to the respondents to prepare the waiting list of displaced ED Agents in Amalapuram division and appoint them in the order of seniority as ED Agents as and when vacancies arise including for the post of EDBPM Rajavaram A/W Atreyapuram S.O. and to appoint the applicant to that post if he is senior in the waiting list of displaced ED Agents.

4. The learned counsel for the respondents submitted that ^{the applicant} ~~as~~ he has put in more than 3 years of ^{senior as Hule} EDBPM ^{he} comes under the purview of the Annexure-4 letter. Hence he submitted that a direction to follow the letter Annexure-4 in the ^{Case} ~~place~~ of the applicant and put him on the waiting list ^{may be issued.}

5. The learned counsel for the applicant submitted that there is a vacancy in Rajavaram and he should be considered for that post if he is senior.

6. It is not necessary for us to ^{examine} ~~say~~ whether he is senior-most and should be appointed for the said post. It is for the respondents to enlist him in the waiting list and appoint him in his turn under the existing rules.

A

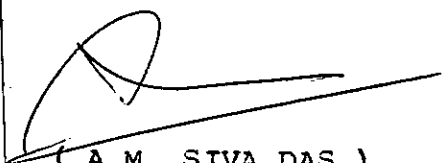
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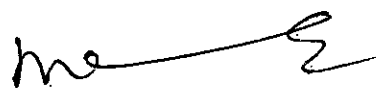
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7. In the result, the respondents are directed to include the name of the applicant in the waiting list of ED Agents discharged from the services in the division as prescribed in DG P&T letter No. 43-4/77-Pen, dt. 23.2.79 and appoint him in his turn in accordance with the rules.

8. The OA is ordered accordingly. No costs.



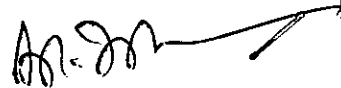
(A.M. SIVA DAS)
Member (Judl.)



(R. RANGARAJAN)
Member (Admn.)

Dated: 27th June, 1997

(Dictated in Open Court)



Dy. Registrar (Judl.)

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Copy to:-

1. The Chief postmaster General, A.P.Circle(Rep. Union of India), Hyd.
2. The Postmaster General, A.P.Northern Region, Visakhapatnam.
3. The Supdt of Post Offices, Amalapuram.
4. One copy to Sri. C.Suryanarayana, advocate, CAT, Hyd.
5. One copy to Sri. N.R.Devaraj, Sr. CGS, CAT, Hyd.
6. One copy to Deputy Registrar(A), CAT, Hyd.
7. One spare copy.

Rsm/-

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17/7/97

(7)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

A.M. Sivadas

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

DATED: 27/6/97

ORDER/JUDGEMENT

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

in

O.A.NO. 786/97

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.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
प्रेषण/DESPATCH
16 JUL 1997
हैदराबाद न्यायपीठ
HYDERABAD BENCH