

(14)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A. 1173/97.

Dt. of Decision : 22-09-97.

M.Sudarsana Rao

.. Applicant.

Vs

1. The Superintendent of Post Office,
Parvathipuram Division,
Vizianagaram District.
2. The Postal Sub-Division Inspector,
Bobbili Manadal, Vizianagaram Dist.
3. N. Appala Swamy

.. Respondents.

Counsel for the applicant : Mr.K.Bhaskara Rao

Counsel for the respondents : Mr.N.W.Devaraj, Sr.CGSC.

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. Even when this OA came up for hearing on 9-9-97 the learned counsel for the applicant was not present. Heard Mr.W.Satyanarayana for Mr.N.R.Devaraj, learned counsel for the respondents.

2. The applicant in this OA was appointed as a provisional EDBPM, Krishnarayapuram P.O. vide order No.BLP/III-58 dated 24-5-97 (Annexure-I). The relevant portion of this order states as follows:-

"Shri M.Sudarsana Rao is offered the provisional appointment. He should clearly understand that the provisional appointment will be terminated when regular appointment is made he shall have ^{no} claim for appointment to any post."

..2.

3. It is now stated that R-3 was appointed as a regular EDBPM in that post office, ^{note} thereby terminating the provisional appointee viz., the applicant herein.

4. This OA is filed to set aside the appointment of R-3 ^{note} ~~wise~~ the applicant herein and continue the applicant.

5. The body of this affidavit ~~has~~ does not indicate any valid contention for considering the case of the prayer of the applicant. However we asked the details in regard to the replacement of the applicant by R-3. It is stated by the learned counsel for the respondents that R-3 was working as EDMC, Iyyapapetta P.O. As that post office was abolished he was made surplus. As he was a regular EDMC he was posted as EDBPM ^{note} ~~wise~~ the applicant ^{as R-3} is a regular appointee to that post ^{of EDMC}. In view of that the learned counsel for the respondents submits that the applicant ^{- Can have -} ~~has~~ no grievance. The submission of the respondents cannot be challenged as R-3 was appointed in the post of EDBPM as he was a surplus candidate. The applicant is only a provisional candidate. R-3 was not appointed by issuing a fresh notification to challenge that.


6. In that view we feel that the applicant has no case and hence the OA is dismissed at the admission stage itself. No costs.

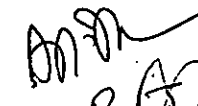

(B.S. JAI PARAMESHWAR)
MEMBER (JUDL.)

22.9.97

Dated : The 22nd Sept. 1997.
(Dictated in the Open Court)

spr


(R. RANGARAJAN)
MEMBER (ADMN.)


D.R.

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Copy to:-

1. The Superintendent of Post Office, Parvathipuram Division,
Vizianagaram Dist.
2. The Postal Sub-Division Inspector, Bobbili Manadal, Vizianagaram.
3. One Copy to Mr. Kurti Bhaskara Rao Advocate CAT. Hyd.
4. One Copy to Mr. N.R. Deva Raj Sr. CGSC. CAT. Hyd.
5. One Copy to The D.R(A).
6. One Duplicate Copy.

Upr.

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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: 22.9.97

ORDER/JUDGMENT

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

in

O.A. NO.

1173/97

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

