

IN THE CRIMINAL ADMINISTRATIVE APPEAL MEDIUM BENCH : HYDERABAD

OA / PA / R / SP / MA / PT 1207 of 1997

T. Surya Chander Rao Applicant(s)

versus

The Director General Dept. of Posts, New Delhi & 2 Ors - Respondent(s)

INDEX SHEET

Serial No.	Description of Documents	Pages
Docket Orders	—	1
Interim Orders	—	—
Orders in MA (s)	—	—
Orders in (Final Orders) are as follows	9-9-97	25-28
		29/10/97

28/10/97
Certified that the file is complete
in all respects.

Signature of
Dealing Hand
(In Record Section)

Signature of S.O.

Part III and II
Described

P. Singh
16/3/98

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: HYDERABAD

O A. NO.

1207

OF 1997.

T. Suryachandra Rao

Applicant(s)

VERSUS

The Director - Gramal Do. Post, New (Respondent)

Delhi & 20t

Date	Office Note	ORDER
9-9-97	<p>O.A. ordered accordingly at the admission stage itself order on separate sheets. No costs.</p> <p>Registry shall send a copy of catalog with a copy of order to Respondent No.1.</p> <p>9-9-97.</p>	<p>TR HBS SP M(S)</p> <p>DR HRRN M(A)</p>

CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH

ORIGINAL APPLICATION NO. 1207 OF 1997.

T. Suryachandra Rao

Applicant (s)

VERSUS

Union of India, Repd. by. Minister General,

D/o Post, Dak Sadan, New Delhi 200

Respondent(s)

The application has been submitted to the Tribunal by
Shri Krushna Dewan Advocate/
Party in Person Under Section 19 of the Administrative
Tribunal Act, 1985 and the same has been scrutinised with
reference to the points mentioned in the check list in the
light of the Provisions in the Administrative Tribunal
(Procedure) Rules 1987.

The Application is in order and may be listed for
Admission on _____

MA to be listed forth

Q.S.M.
Scrutiny Asst.

Prabh
DEPUTY REGISTRAR (JUDL)

11. Have legible copies of the annexure duly attested been filed. *Y*
12. Has the applicant exhausted all available remedies. *Y*
13. Has the Index of documents been filed, and pagination done Properly. *Y*
14. Has the declaration as required by item No. 7 of Form, I been made. *Y*
15. Have required number of envelops (file size) bearing full addresses of the respondents been filed. *Y*
16. (a) Whether the relief sought for, arise out of single cause of action. *Y*
(b) Whether any interim relief is prayed for. *Y*
17. In case an MA for condonation of delay in filed, is it supported by an affidavit of the applicant. *Y*
18. Whether this case be heard by single Bench. *AA -*
19. Any other Point.
20. Result of the Scrutiny with initial of the Scrutiny clerk.

May be filed in number pl

Y
Scrutiny Assistant.

Section Officer.

Deputy Registrar.

Registrar.

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH, HYDERABAD.

Dairy No.

2338(9)

Report in the Scrutiny of Application.

Presented by Shri Kailash Kumar Adv.

Applicant (s) T. Sugrehanda Rao Date of Presentation. 11/8/97

Respondent (s) Director General, Mofsl, New Delhi 200

Nature of grievance Appointment

No. of Applicants 1

No. of Respondents 3

QUESTION	ANSWER
Subject <u>Appointment</u>	Classification <u>(15)</u>
	Department <u>Legal</u>
1. Is the application in the proper form, (three complete sets in paper books form in two compilations.)	Y
2. Whether name, description and address of all the parties been furnished in the cause title.	Y
3. (a) Has the application been fully signed and verified. (b) Are the copies been fully signed. (c) Have sufficient number of copies of the application been filed.	Y Y Y
4. Whether all the necessary parties are impleaded.	Y
5. Whether English translation of documents in a language other than English or Hindi been filed.	Y
6. Is the application on in time, (See Section 21)	Y
7. Has the Vakalatnama/Memo of Appearance/Authorisation been filed.	Y
8. Is the application maintainability. (U.S 2, 14, 18, or U.R. 8 etc.)	Y
9. Is the application accompanied IPO/DD, for Rs. 50/-	Y
10. Has the impugned orders Original, duly attested legible copy been filed.	Y

P.T.O.

no impugning order Pl.

CENTRAL ADMINISTRATIVE TRIBUNAL (YOUSUFABAD BEACH, HYDERABAD)

I N D E X S

Case No. 1207 of 1997.

Cause Title T. Suryachandra Rao

VOLUME

To Director - General, D/o Post, New Delhi &

20th

SL. NO.	Description of documents	Page No.
1.	Original Application	1 to 6
2.	Material Papers	7 to 21
3.	Vakelat	1
4.	Objection Sheet	—
5.	Spore Copies 3 (Three).	—
6.	Covers 3. A	—

Setting a direction to overturn the order of the Complainant
in an affidavit and subsequently held him successful, etc. 2

IN THE COURT OF THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH

AT HYDERABAD

Plaintiff
RENEWAL CASE
U.A.NO. 1207 of 1997

Between :-

T. Suryachandra Rao

Appointment (2)
(c)

..Applicant

A N D

Postal (1)

Union of India represented by the
Director General, Department of Posts,
Dak Bhavan, Sansad Marg,
New Delhi & 2 Others.

Postal/POSTAL
..Respondents

I N D E X

Annexure Nos.	Description of Document	Page Nos.
	Original Application	1-6
1.	Copy of Letter No. B2/22 dated 17.11.1992 issued by Supdt.of Post Offices,Visakhapatnam Division.	7
2.	Copy of DG's Letter No. 7-5/92 dt.14/18-1282	8
3.	Copy of Supdt.of Post Offices,Visakhapatnam Letter No. B9/1/92 dated 11.02.1993.	9-10
4.	Copy of the Directorate Letter No. 18-17/92- DE dated 20.08.1993.	11-12
5.	Copy of Senior Supdt.of Post Offices, Visakhapatnam Letter No. B7/1/93 dt.13.4.94.	13
6.	Copy of representation to the Director General, Department of Posts, New Delhi. dt. 20.12.1994	14-15
7.	Copy of reminder sent to Director General, Department of Posts, New Delhi, dt. 22.8.1995.	16-17
8.	Copy of representation dated 2.4.1996 submitted to all the respondents.	18-19
9.	Copy of DG (P & T), New Delhi Letter No. 26-2/81/ SPB-1 dated 4.05.1981.	20

See
Signature of the Counsel

Signature of the Registrar

Signature of the applicant



IN THE COURT OF THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH
AT HYDERABAD

O.A.No. 1207 of 1997

Between :-

T. Surya Chandra Rao

..Applicant.

A N D

Union of India represented by the
Director General, Dept. of Posts,
Dak Bhavan, Sansad Marg.
New Delhi and 2 Others.

..Respondents

DATE OF EVENTS

Dates	Description of Event	Page Nos.
16.08.1980	Date on which the applicant joined as Postal Asst. in Visakhapatnam Division.	2
1992	Year in which the Applicant passed PO & RMS Accounts Exam.	2
Feb. '1995	Date on which the Applicant was promoted under TBOP Scheme.	2
19.11.1992 & 20.11.1992	Dates on which the papers 3,4,5 of Part-I JAO Exam was conducted in the Visakhapatnam and the applicant appeared for the same.	2
21.03.1993	Date on which the Part-I & II JAO Exam was conducted and the applicant appeared for the same.	2
20.08.1993	The Director General issued clarifications regarding admittance of candidates for JAO Part-II Exam.	3
13.04.1994	Date on which the Senior Supdt.of Post Offices has communicated the number of marks secured by the applicant in the Part-I examination.	3
04.05.1981	Date of the Letter issued by the Director General, P & T, New Delhi, provide for the review of the case if the candidate belonging to SC/ST fails in any one of the subjects.	3
28.12.1992	Date of the letter of Department of Telecom, Government of India whereby it has provided for review in case of candidates securing minimum of 20% marks and fails provided he belongs to SC/ST Community.	3
20.12.1994 & 22.08.1995 & 02.04.1996	Date on which the applicant claimed review of his result interms of circular dated 4.5.81 or 28.12.92.	3

Date :

Hyderabad.

Counsel
Signature of the Counsel.

APPLICATION UNDER SECTION 19 OF ADMINISTRATIVE TRIBUNAL ACT, 1985

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :A.P. : HYDERABAD

O.A.No.1207 of 1997

Between :-

T. Suryachander ¹⁰ Rao, S/o. Narsulu,
Aged 39 years, Working as Office Asst.,
(LSG) in the office of the Supdt. of
Post Office, Visakhapatnam Division,
Visakhapatnam, A.P. - 530 001.

A N D

1. Union of India represented by the Director General, Department of Posts, Dak Bhavan, Sansad Marg, New Delhi-1.
2. The Chief Postmaster General, A.P. Circle, Dak Sadan, Abids, Hyderabad.
3. The ~~Supdt. of Post Office~~, Visakhapatnam Bn., Visakhapatnam.



.. Respondents

The address for services of all notices is that of his counsel :

Mr. Krishna Devan, Advocate, Hyderabad - 44.

DETAIL OF APPLICATION

1. PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS MADE :

The application is filed against the inaction of the respondents to declare the results of JAO exam Part-I after review.

2. JURISDICTION OF THE TRIBUNAL :

The applicant declares that the subject matter of the present application is within the jurisdiction of this Hon'ble Tribunal under section 14 of the Administrative Act, the applicant is working as Office Assistant in the jurisdiction of the respondents herein.

LIMITATION :

The applicant further declares that the application is within the period of limitation prescribed under section 21 of the Administrative Act, 1985 as the applicant is challenging the inaction of the respondents on the representation dated 20.12.1994.

*Received
1.8.97
A. N. R. Deva
and*

*Challenged
Central Admin. Tribunal*

4. BRIEF FACTS OF THE CASE :

1. The applicant herein has joined the Postal Department as Postal Assistant on 16.8.80 in Visakhapatnam Division and since then working without any blemish in his record. Later the applicant passed Post Office and RMS Accountants exam in the year '92. Subsequently the applicant was promoted to the highest scale of Rs.1400 - 2300 of TBOP scheme with effect from February, '95 and as such working as Office Assistant (LSG) in the office of the Superintendent of Post Offices, Visakhapatnam Division, Visakhapatnam.

2. In the year '92 for the Postal and Telecom Junior Accountant (P & T, JAO exams) to be conducted by the Department, the applicant has duly sent in his application to appear for the examination.

The Senior Superintendent of Post Offices, Visakhapatnam Division in his Letter No. B2/22 dated 17.11.92 has intimated on which the JAO Part-I Examination to be held on 19th and 20th November '92 and further intimated the time schedule of Examination as follows :

<u>PAPER</u>	<u>SUBJECT</u>	<u>JAO PART-I OF 1992</u>	<u>DATE OF EXAM</u>
III	Service Rules		19-11-1992
IV	Financial Rules & Procedures		20-11-1992
V	Financial Rules & Procedures (With Books).		20-11-1992

Thus the Department has chosen to conduct Examination for the papers 3,4, 5 only and for the papers 1 and 2 it has chosen to postpone it for the administrative reasons. Accordingly, on 19th and 20th November the applicant has appeared for the papers 3,4,5 and fared well in each of these papers. Subsequently, the IV respondent in the Letter No. Endorsement No. B9/1/92 dated 28.12.1992 has communicated the contents of the letter of Directorate No. 7-5/92 dated 14/18-1292 wherein it was intimated that the Paper I and II of JAO Examination of 1992 would be held on 21.3.1993 and the same hall permits which are given to the candidates to appear for the papers 3,4,5 on 19/20.11.1992 will holds good for the proposed Examination also. Accordingly the applicant attended the examination and fared well.

Though, the Directorate in their Letter No. 18-17/92 dated 20.08.1993 has issued clarification in regard admitting the candidates who have appeared for Part-I Examination held on November, 1992 and March '93, as the results of Part-I Examination held in November '92 and March '93 have not yet been announced for certain reasons, Thereafter the IV respondent has communicated the marks secured by the applicant in Part-I Examination held on November '92 and March '93 vide Letter No. 37/1/93 dated 13.4.94.

The marks are as follows :-

<u>ROLL NO.</u>	<u>PAPER-</u>	<u>I</u>	<u>II</u>	<u>III</u>	<u>IV</u>	<u>V</u>
		78/150	20/100	38/150	33/100	90/150

According to the rules in force ~~and~~ ^{on} the date of examination, a candidate will be qualified if secures 40% in each Paper or 45% in aggregate of 2 papers. In the case of JAO Part-I examination, the applicant herein failed to secure qualifying marks in the paper II. And Hence failed to be qualified. The applicant belongs to SC Community. In the case of SC/ST candidates if they fail to secure the minimum marks for qualifying, their case has to be reviewed and by giving grace marks and then declare as qualified according to the rules and regulations in force and the date of examination. In the case of applicant the examination relates to the year, 1992. But due to the administrative reasons of the department, the authorities of their own has postponed in conducting the first 2 papers instead of November 1992, but 21.3.1993. Hence the applicant in their letter dated 20.12.94 addressed to the Director General, New Delhi has sought for review of his case and consequential declaration as successful though he secured less marks than the prescribed, by citing the DG, P & T, New Delhi Letter No. 22-2/81/SPB-I dated 4.5.81 which was contained in the Government of India, Department of Telecom Letter No. 22-5/91 - NDG dated 28.12.1992. As there is no response forthcoming the applicant on 22.8.1995 has claimed the review by enclosing the circular dated 28.12.1992 of Department of Telecom. Even that was also not considered and hence the applicant on 2.4.1996 represented to the Commissioner,

7

Scheduled Castes, Scheduled Tribes, Commission, New Delhi-11. Till this date the authorities have neither allowed the claim nor rejected and hence it is deemed that the authorities inclined to grant the claim. Therefore the applicant is constrained to approach the Hon'ble Tribunal as last resort.

As the Directorate was assuring that his representation would be considered favourably though delayed, the applicant has sent in couple of reminders after the representation i.e. 20.12.1994. The JAO Part-I exam held on November 1992 and March 1993 formed part of the calender of Examinations for the year 1992. For the administrative reasons the Part-I and II were conducted in March 1993. However the applicant is said to have appeared for the JAO Part-II examination of 1992 only. In such case the Directorate circular issued by the Directorate No. 26/2/81/SPB dated 24.4.1981 is applicable and hence the applicant is entitled for review of his case and consequent declaration as successful in the said examination i.e., Part-I examination. Even assuming that the applicant has completed the examination of Part -I in March 1993 and circular dated DG(E) Letter 28.12.1992 is applicable prospectively in which case the Schedule Caste candidates who secures atleast 20% marks in each paper are entitled for review. Even the said circular is made applicable, the applicant is entitled for review of his case and for declaration as successful in the JAO Part-I examination. But the authorities for the reasons best known to them have not reviewed the case of the applicant even though the representations made on 20.12.1994 and 22.8.1995 and 2.4.1996 and hence the action of the respondents is arbitrary, illegal and violative of Article 14 of the Constitution of India. Therefore the respondents must be directed to review the results of Part-I examination Paper-II and pass orders to qualifying him in the Part-I examination with immediate effect so that he could appear for Part-II examination.

DETAILS OF REMEDIES EXHAUSTED :

As the representations of the applicant which was addressed to the Head of the Department is still pending without being rejected, the applicant has no further alternate remedy under the service rules in respect of the grievance.

MATTERS NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT :

The applicant further declare that he is not previously filed any application, Writ petition or suit regarding the matter in respect of which this application has been made before any court of law or any authority or any other such bench or this Hon'ble Tribunal and nor any such application, Writ petition or suit is pending before any of them.

RELIEF SOUGHT FOR : MAIN RELIEF :

It is prayed that the Hon'ble Tribunal may be pleased to call for the records relating to the review of the results of Part-I JAO exam held in November 1992 and March 1993.

- a) to direct the respondent No. 1 to review the results of the applicant in the Part-I JAO examination held in November 1992 and March 1993 and consequentially to declare him as successful, by holding that the action of the respondent is not considering the claim of the applicant in accordance with the rules as arbitrary, illegal and violative of Article 14 of the Constitution of India,
- b) to pass such other further orders as deem it fit and proper in the facts and circumstances of the case otherwise the applicant who is meritorious in all other subjects will be deprived of the chance of appearing in the remaining Part-II JAO exam held in the year of 1993 onwards.

6-
INTERIM RELIEF :

It is prayed that the Hon'ble court may be pleased to fix an early date for hearing of this O.A.

PARTICULARS OF POSTAL ORDER :

1) Name of the Post Office High Court P.O. Hyderabad
2) Amount of Postal order 21.7.97
3) Date and Nos. 8/12.686070 , 68.50/- A

LIST OF ENCLOSURES :

i) Vakalatnama ii) Postal order for Rs. 50/-
iii) Material Papers iv) Covers, Pads & Acknowledgements

VERIFICATION

I, the above named applicant do ~~merify~~ that the contents of Paras 1 and 4 are true to my personal knowledge and Paras 5 to 10 are believed to be true on legal advice of my counsel and that I have not suppressed any material facts.

Hence, verified this 27th July, 1997 in my presence,
at Hyderabad.

Counsel
Signature of the Counsel

Date : 1-8-97

Hyderabad

Veray
Signature of the Applicant

Ministry of Communications:Dept. of Posts
O/o the Sr. Supdt. of Post Offices, Visakhapatnam Dn.

No. B2/22

Dated at VM-1 the 17.11.92

To

1. The Postmaster,
Visakhapatnam Ho/Waltair ASHO.
2. The SPM, AU Sity/Akkayyapalem/
Maharanipeta/VM Port/Pendurti.

Sub:- JAOs Part I examination held on 19th and
20th Nov., 1992 - relief arrangement - reg.

Ref:- This office Lr.No. B9/1/92 dt. 9/11/92.

-00o-

Please refer this office letter cited above. Please relieve
the following candidates for JAO Part-I Examination to be held on
19th and 20th November, 1992 in time to enable them to attend the
examination in time. The time schedule of examination is as fo-
llows :-

	<u>Subject</u>	<u>Date</u>	<u>Time</u>
Paper 3	Service Rules (with books)	19th Nov., 1992	2PM to 5 PM
Paper 4	Financial Rules and Procedures (Without books)	20.11.1992	10.00 AM to 12.00 Noon
Paper 5	-do-(With books)	-do-	2.00 PM to 5PM

Note: Papers 1 and 2 were postponed.

(Sd) For Sr. Supdt. of Post Offices,
Visakhapatnam Dn, 530001.

List of Candidates :

S/Sri/Smt/Kum

1. V.Kondala Rao	Accountant	Waltair, RSHO
2. T.suryachandra Rao	PA	Maharanipeta
3.- 21.		

TRUE COPY

Advocate

A copy of DG's Lr.No. 7-5/92/DE dt.14/18-12-92 received vide PMG, VM Endt, No. RE/4-1/92 dt. 18/12/92,

Sub:- Junior Accounts Officer, Part I and II Examination scheduled for holding Papers 1,2 and 9.

-000-

I am directed to refer to this office letter of even No. dt. 27.10.92, wherein it was indicated that Paper-I, of JAO Part-I Examination which was originally scheduled to the 20th December, 1992.

It has now been decided Paper I of JAO, Part I Examination, 1992 will now be held on Sunday, the 21st March, 1993 alongwith Paper-2 of JAO Part I and Paper-9 of JAO Part II Examination, 1992. The candidates may be allowed to appear on this changed date on the basis of the same hall permits issued to them for the main examination held in November, 1992. you are requested to furnish positively by 31st January, 1993 the name and telephone number of the officers to whom the parcels/packets of question papers are to be sent. A detailed time table of the examination is given below ;

<u>PAPER NO.</u>	<u>SUBJEET</u>	<u>DAY & DATE</u>	<u>HOURS (1st)</u>
<u>Part I</u>			
1.	Precis,drafting and Grammer	Sunday, the 21st March, 93	10.00 AM to 1.00 PM
2.	Service Rules (Without books)	-do-	2.00 PM to 4.00 PM
<u>PART -II</u>			
9.	Civil Works Accounts (With books)	-do-	10.00 AM to 1.00 PM

A wide publicity may kindly be given to this revised schedule of the date of holding the examination.

Hindi version will follow;

Yours faithfully,
sd/- B.D.BAWEJA
Asst. Director General (DE)

Endt.No.B9/1/92

dt at VM-1 the 28/12/92

Copy to the Postmaster, Waltair RSHO/Visakhapatnam HO and SPMs Maharanipeta/Akkayyapalem/AU Sity/VM Port/ pithapuram Colony/ P & T colony to inform this matter to the candidates concerned under acquittance and report compliance.

2. Sri A.Vanamala Rao, HSG OAp PMG, Visakhapatnam-3.

For Sr. Supdt. of Post Offices,
Visakhapatnam Dn. 530001.

TRUE COPY


ADVOCATE

13
10
8
3/10

-:- 2 :-:

NAMES OF OFFICIALS :

Sl. No.	Name and designation of the Official	Office	Roll No.
1.	V.Kondala Rao, Accountant	Waltair RSHO	AP/JAO/I/475/92
2.	T.Suryachandra Rao, PA	Maharanipeta	AP/JAO-I/476/92
3.	A.Vanamala Rao, HSGII OA	O/o PMG, VM	AP/JAO/I/477/92
4.	V.Bennibabu, PRI (P)	Visakapatnam HO	478/92
5.	B.V.Sarma, PA	Wal. RSHO	AP/JAO/I/479/92
6.	G.V.R.J.Mohanrao Patnaik PA	Akkayyapalem	AP/JAO/I/481/92
7.	M.V.S.S. Rama Rao, OA	O/o SSPOS, VM	AP/JAO/I/482/92
8.	V.Kameswaramma, PA	VM Port	AP/JAO/I/483/92
9.	A.Satyanarayana, PA	AU sity	AP/JAO/T/484/92
10.	K.K.Ranganadhudu, PA	Wal.RSHO	AP/JAO/I/485/92
11	K.Suryakumari, OA	O/o SSPOS, VM	AP/JAO/I/486/92
12	M.A.Khaleem, SPM	Pithapuram Colony	AP/JAO/I/487/92
13	A.V.Kamakshi, PA	VMHO	AP/JAO/I/488/92
14	Y.Velangi Rao, PA	VM Port.	AP/JAO/I/489/92
15	P.Appalaraju, PA	VMHO	AP/JAO/I/490/92
16.	J.S.K.Kumari, PA	VMHO	AP/JAO/I/491/92
17	K.Saraswari, Accountant	VMHO	AP/JAO/I/492/92
18	A.S.Krishnaveni, PA	VMHO	AP/JAO/I/493/92
19	K.Raghavendra kumar PA	VMHO	AP/JAO/I/494/92
20	V.Babu Rao, Steno	O/o SSPOS, VM	AP/JAO/I/495/92
21	T.J.P.Raju, PA	R&T Colony	AP/JAO/I/496/92
22.	T.V.Bhaskara Rao, P.Man	Akkayyapalem	AP/JAO/I/498/92

Please acknowledge the receipt of this letter by
first post.

For Sr. Supdt. of Post Offices,
Visakhapatnam Dn. 530001.

TRUE COPY
T.C.
ADVOCATE
ADVOCATE

MINISTRY OF COMMUNICATIONS: DEPARTMENT OF POSTS

O/o. the Senior Superintendent of Post Offices, Visakhapatnam Divn.

B9/1/92

dt at VM-1 the 11/2/93

To

The Postmaster,
Visakhapatnam HO/Waltair RSHO,The Sub Postmaster,
Maharanipeta.Sub:- JAO's Examination Part I and II to be
held on 21st March, 93 - Communicating
of Venue - reg.Ref:- RE/22-3/92/PW dt. -1-93
31-3792.

-000-

It was communicated and decided vide CPMG, AP Circle, Hyderabad letter referred to above that Paper I of JAO Part I Examination, 1992 will now be held on Sunday, the 21st March, 1993 along with Paper-II of JAO Part I and Paper IX of JAO Part II examination 1992. The candidates will be allowed to appear on his revised date on the basis of the same hall permits issued by them for the main examination held in November, 1992.

The candidates mentioned below may be relieved in time to attend to the said examination. The time table of the examination is given below.

The venue of the examination is DR.L. BULLAYYA COLLEGE,
VISAKHAPATNAM - 13.

<u>PAPER NO.</u>	<u>SUBJECT</u>	<u>DAY & DATE</u>	<u>HOURS (IST)</u>
<u>PART I</u>			
Paper-1	Precis, drafting and Grammer (Without books)	Sunday, the 21st March, 1993.	10.00 AM to 1.00 PM
Paper-2	Service rules (Without books)	-do-	2.00 PM to 4.00 PM
<u>PART II</u>			
Paper IX	Civil works Accounts (with books)	-do-	10.00 AM to 1.00 PM

TRUE COPY



ADVOCATE

LIC of India

15

553917

Seshu

112/11

7. A wide publicity may kindly be given to this circular to enable the candidates if any, to apply before the last date indicated above.

8. As already indicated in Column 6&7 of Annexure-I to this office letter No. even dated 14.1.1993 quoted above the required information with regard to number of candidates centre Supervisors etc., may kindly be sent to this office NOT LATER THAN 1-10-1993 POSITIVELY. FAILING WHICH IT WILL BE PRESUMED THAT NO EXAMINATION IS PROPOSED TO BE HELD IN YOUR CIRCLE. THE CIRCLE OFFICE WOULD BE HELD RESPONSIBLE FOR ANY CONSEQUENCES ARISING THEREFROM.

Sd/-

(B.D. BEWEJA)

Asst Director General(DE)

Tele 3032264

Endt No. B9/1/93 dtd 9.93

Forwarded to Sri/Smt/Kum T. Surya Krishna Rao PA Mahanupet for information and necessary action.

for Sr. Supdt. of post offices
Visakhapatnam Dn: 530 001

TRUE COPY

Advocate
ADVOCATE

Department of Posts India
o/o the Sr. Supdt. of post offices is a hapatnam Division.

A copy of the Directorate lr no. 18-17/92-DE dtd 20-8-93 circulated in PMG VM endorsement no. RE/4-1-/93 dtd 30-8-93 is reproduced below :-

Sub: JAO Part I & II Examinations Nov1993

Sir,

I am directed to invite your kind attention to this office letter no. even dated 14.1.1993 wherein the calender of Departmental Examinations to be held in 1993 alongwith detailed time-table was issued.

2. As you are aware the results of the last JAO Part-I & II Examinations held in November 1992/March 1993 have not yet been announced for certain reasons. In view of this inquiries are being made from several corners with regard to the admission of the candidates for the next JAO part I/II Exam to be held from November 17-19.1993.

3. In this regard it is stated that there should be no difficulty in admitting the candidates to the Nov, 1993 Exam both for Part I/II examinations. In case of those candidates for JAO Part I Exam 1993 who have already appeared in JAO Part I Exam NOV 1992 /March, 1993, they can be admitted provisionally for the Nov, 1993 examination, if they are otherwise eligible. On declaration of the result of the previous examination in case any of the candidates thus admitted provisionally happens to qualify, his application for Part I Nov, 1993 Examination may automatically be treated to have been withdrawn.

4. Similarly the candidates who have appeared in the Part I Exam, in Nov, 1993 can also be admitted provisionally for the part II Nov, 1993 Exam, if they are otherwise eligible. On declaration of the result of the previous examination of Nov, 1992/March 1993 his application for part II 1993 Exam, may automatically be treated to have been withdrawn.

5. Also the candidates already appeared in Part II Exam., in Nov, 1992 /March 1993 can be similarly admitted to Part II Nov., 1993 Exam., provisionally if they are otherwise eligible. In their case, in case any of them happens to qualify part II of Nov., 1992/March, 1993 exam., on the declaration of the result his application for Part II Nov, 1993 exam., may automatically be treated to have been withdrawn.

6. Some of the circles have already admitted the candidates for Nov, 1993 Exam provisionally. If in the case of some circles, opportunity to apply for admission to the Nov, 1993 Examination provisionally has not been given the same may kindly be now extended to the candidates by allowing them to apply by 20th September, 1993. The applications should reach the circle office latest by 27-9-93.

contd-2page

TRUE COPY

ADVOCATE

DEPARTMENT OF POSTS-INDIA

To

Sri T. Suryachandra Rao,
 PA Maharanipeta SO,
 VISAKHAPATNAM - 2.

No. B7/1/93 dated at VM-1 the 13.4.94

Sub:- Communication of marks obtained in JAO
 Part I examination - reg.

-000-

Marks obtained by you in the above cited examination
 held in November, 92/ November, 93 are as follows :-

<u>Roll No.</u>	<u>Paper</u>	<u>I</u>	<u>II</u>	<u>III</u>	<u>IV</u>	<u>V</u>
AP/476		75	29	38	33	90

This is for your information.

(sd) _____
 Superintendent of Post Offices Dn.
 VISAKHAPATNAM - 530 001
 PHONE - 63600

TRUE COPY

[Signature]

ADVOCATE

15
15
-: 2 :-

18

I would have been declared successful in the examination but for Paper II in which I secured less marks than the prescribed. As I belongs to Scheduled Caste. I request that my case may kindly be reviewed as per the DG, P&T, New Delhi Letter No.26-2/81 SPB-1 dated the 4th May, 1981 clarificatory orders contained in Government of India, Department of Telecom Letter No.22-5/91-NDG dated the 28th December, 1992 and orders issued declaring me successful in the examination, for which act of kindness I shall remain thankful to you Sir.

Yours faithfully,

[Signature]

(T. SURYA CHANDRA RAO)

Copy submitted direct to save delay.

TRUE COPY

[Signature]
ADVOCATE

From

To: SURYA CHANDRA RAO,
Office Assistant,
O/o The Senior Supdt. of Post Office
Visakhapatnam - 530 001.

To

The Director General,
Department of Posts,
Dak Bhavan,
New Delhi - 110 001.

VISAKHAPATNAM-HQ
REG./A-4797/20-12-94-12392250

TO:CPMG
AP CIRCLE
HYDERABAD 1

Gms: 22 /Rs. 8.00/Ins: 0
STAMP AFFIXED-Rs. 0.00

(THROUGH PROPER CHANNEL)

Respected Sir,

Sub: Review of JAO Part I Examination result - Request for consideration to declare me successful.

* * *

I humbly submit the following for favour of sympathetic consideration and issue of necessary orders.

I have appeared in JAO Part I examination with Roll Number AP/JAO I/ 476/92 held in 19th November '92, 20th November '92 & 21st March '93 and I secured the following marks as communicated in SSPOs Visakhapatnam Letter No.B9/1/93 dt.13.4.94.

<u>Paper No.</u>	<u>Subject</u>	<u>Marks obtained</u>
Paper I	Precis, Drafting and Grammar (without books)	
Paper II	Service Rules (without books)	78
Paper III	Service Rules (with books)	20
Paper IV	Financial Rules & Procedure (without books)	38
Paper V	Financial Rules & Procedure (with books)	33
		90

Contd.2.

TRUE COPY

[Signature]
ADVOCATE

Paper No.	Subject	Marks Obtained
Paper-I	Precis, Drafting & Grammar (Without books)	78
Paper-II	Service Rules (without books)	20
Paper-III	Service Rules (With books)	38
Paper-IV	Financial Rules & Procedure (Without books)	33
Paper-V	Financial Rules & Procedure (With books)	90

I humbly invite a kind attention to the Director General, Department of Telecom Letter No. 22-5/91 NDG, dated 28-12-1992 according to which, I understand, the results of those failed candidates belonging to scheduled caste who secured at least 20% marks and scheduled tribe candidates who secured at least 15% marks in each paper have to be reviewed. As I got less marks i.e., 20 (Twenty) in only Paper-II while having done well in other papers, I humbly request the kind Director General to have my case examined in the light of orders contained in the Director General, Telecom Letter cited above and cause issue of necessary orders declaring me qualified in the JAO Examination Part-I held in November '92. I pray for an early and mercyful action in my case.

Thanking you,

Yours faithfully,

(T.SURYA CHANDRA RAO)

Copy submitted to :

- 1) The Chief Postmaster General, A.P. Circle, Hyderabad.
- 2) The Director of Accounts (Postal), A.P.Circle, Hyderabad.
- 3) The Postmaster General, Visakhapatnam Region, Visakhapatnam.

Copy submitted direct to save delay.

TRUE COPY

ADVOCATE

From

Visakhapatnam,
Dt. 22-08-1995

T. SURYA CHANDRA RAO,
L.S.G. Office Assistant,
O/o. The Sr. Supdt. of Post Offices,
VISAKHAPATNAM - 530 001.

To

THE DIRECTOR GENERAL,
Department of Posts,
Dak Bhavan,
NEW DELHI - 110 001.

(Through Proper Channel)

Respected Sir,

Sub:- Request for Review of JAO Part-I Examination result and for declaring me successful in the Examination.

I have the honour to submit the following few lines for favour of sympathetic consideration and issue of necessary orders. In this connection I beg to invite a kind reference to my earlier representation submitted to your kind authority on 20-12-1994. I have not so far been favoured with a reply to it.

I have appeared in JAO Part-I Examination with Roll Number AP/JAO-I/476/92 held in November '92 and March '93 and I secured the following marks as communicated to me in SS POS, Visakhapatnam Letter No. B9/1/93 dt. 13-04-1994.

As I belongs to Schedule Caste, I would have been declared successful/qualified in the examination but for less than the prescribed marks I secured in Paper-II.

Contd...2

TRUE COPY

[Signature]
ADVOCATE

: 2 :

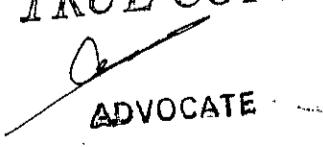
8/19
I would have been declared successful/qualified in the examination in the normal course but for littleless marks I secured in paper II of the examination. Though I could secure qualifying marks in all other papers and have done well specially in Paper I and V, to my illluck, I secured only 20 marks in paper II which had adversely affected my success in the examination in the normal course.

I humbly submit in this connection that according to the provisions contained in the Director General, Department of Telecom Letter No.22-5/91 N D G, dated 28.12.1992, I under stand the results of the failed candidates belonging to Scheduled caste who secured atleast 20% marks and Scheduled Tribe candidates atleast 15% marks in each paper have to be reviewed and the candidates of these Communities/Tribes who could secure atleast 20% and 15% respectively be declared Qualified. Accordingly my case deserves consideration and I would be declared Qualified with in the provisions contained in the letter cited. A copy of the letter is submitted herewith for favour of perusal and causing necessary further orders.

I further submit that Paper I & II held in March'93 form part of J.A.O. Part I examination of 1992 held prior to December'92 and as these two papers which were originally proposed to be held in November'92 were presumably for administrative reasons, postponed and held in March'93, it cannot be called an examination of 1993 Calendar year, but 1992 examination only to be covered amply under the provisions of orders contained in D G's Telecom Letter dated 28.12.92.

As I belong to Scheduled Caste I earnestly request the authorities to review my case under the provisions cited above and

TRUE COPY


ADVOCATE

Visakhapatnam

-4-96

From

T. SURYA CHANDRA RAO
 L.S.G., Office Assistant
 O/o The Senior Superintendent of Post Offices
 VISAKHAPATNAM - 530 001.

To

The Commissioner
 Scheduled Castes/Scheduled Tribes Commission
 West Block No.1 Wing No.7
 R.K. Puram
 NEW DELHI - 110 011.

Respected Sir,

Sub : Request for direction to the department of posts for review of J.A.O. Part I examination result - reg.

I have the honour to submit the following few lines for favour of your sympathetic consideration and for causing issue of necessary orders by the department of posts.

I have submitted two representations dated 20.12.94 and 22.8.95 to the Director General, Department of Posts, New Delhi 110001 through Proper Channel requesting for a review of Junior Accounts Officers (J.A.O.) Part I examination result. To my misfortune, none of my representations has reviewed the due attention of the authorities and I have not so far been favoured with a reply.

I secured the following marks in the J.A.O. Part I examination against my roll number AP/JAO-I/476/92 held in November'92 and March'93, as communicated in Letter No.B9/1/93 dt.13.4.94 of the Senior Supdt. of Post Offices, Visakhapatnam Division, Visakhapatnam-530 001.

Paper No.	Subject	Maximum Marks	Marks Obtained
Paper I	Precis, Drafting & Grammar (Without books)	150	78
Paper II	Service rules (Without books)	100	20
Paper III	Service rules (With books)	150	38
Paper IV	Financial rules & Procedure (without books)	100	33
Paper V	Financial rules & Procedure (with books)	150	90

...2.

TRUE COPY



ADVOCATE

: 3 :

cause, issue of orders declaring me as Qualified/successful in the examination and I hope my representation would review your benign consideration at the earliest possible.

Thanking you in anticipation.

Yours faithfully,

onal

(T.SURYACHANDRA RAO)

Copy submitted to :

- 1) The Director General,
Department of Posts,
Dak Bhavan
New Delhi - 110 001 (Through proper channel)
- 2) The Chief Postmaster General,
A.P. Circle,
Hyderabad - 500 001.
- 3) The Director of Accounts (Postal),
A.P. Circle,
Hyderabad - 500 001
(Copy submitted direct to Save delay)

onal (T.SURYACHANDRA RAO)

Copy of the Letter :

COPY OF D.O.T. Letter No.22-5/91 NDG, dated 28.12.1992:

I am directed to say that in accordance with this office LETTER NO.26/2/81-SPB I dated 4.5.1981 (OF D.G. P&T) failed SC/ST candidates can be awarded grace marks without any limit after conducting a review of all such cases of candidates. While processing such cases in the DIRECTORATE, it has been noticed that cases of even those SC/ST candidates, who have secured ZERO marks have been recommended for declaring them as successful.

It has now been decided that results of only those failed candidates of SCHEDULED CASTE candidates who have secured atleast 20% (TWENTY) marks and Scheduled tribes candidates who have secured atleast 15% (FIFTEEN PERCENT) marks in each paper should be reviewed.

This procedure outlined in this office letter No.22-5/91-NDC dated 14.2.92, is modified only to the extent mentioned above and the rest remains unchanged.

The orders come into force with effect from the EXAMINATIONS conducted on or after 1.12.92.

TRUE COPY

C. S. Rao

ADVOCATE

A9 240
2

2. Relaxation of standards in favour of Scheduled Castes and Scheduled Tribes candidates in qualifying/confirmation/Departmental promotion examination.—I am directed to refer to this Office Letters No. 26-25/70 SPB-I, dated 9-9-1970; No. 63-10/71 SPB-I, dated 17-7-1971 and No. 63-1/77 SPB-I, dated 31-1-1978 (*not printed*) on the above subject wherein relaxed standards for Scheduled Castes and Scheduled Tribes candidates in qualifying/confirmation and Departmental promotion examinations have been prescribed against the vacancies reserved for them.

(2) The matter has been further examined by the Posts and Telegraphs Board. It is observed that the basic objective in such cases is to decide whether Scheduled Castes and Scheduled Tribes candidates who take departmental examinations are fit (at least "not fit") to hold the post for which they are competing rather than going only by their percentage of marks. Accordingly the following decisions have been taken:—

- (i) No special action is called for where adequate number of S.C./S.T. candidates qualify for the reserved posts.
- (ii) In examinations where the required number of candidates do not qualify even according to the relaxed standards, the cases of failed candidates should be reviewed on the basis of confidential report, the overall performance in the examination, etc., by a Committee of Senior Officers so as to assess their suitability/unsuitability. The Committee will consist of the Head of the Circle and a Director of Postal Services/Telecom. Director in the District nominated by the Head of the Circle in respect of recruitment to Group 'C' posts. In the case of Civil Wing, the concerned Superintending Engineer may be included in the Committee instead of a Director. As regards Group 'D' posts, the Committee will consist of the Director-in-charge of the Region concerned and a senior Time-Scale Officer as may be nominated by the Head of the Circle. In the case of Civil Wing, the concerned Superintending Engineer and a Senior Time-Scale Officer, nominated by the Head of the Circle will form the Committee.
- (iii) In the case of candidates considered not unfit for promotion, grace marks should be added to bring up to the qualifying standard. There will be no limit to giving grace marks to the candidates who are not otherwise unsuitable. Grace marks in more than one paper will be permissible. Interposition of these candidates will be determined by their aggregate marks. In order, however, to maintain parity among the recipient of grace marks for the purpose of determining *inter alia* seniority the maximum number of the grace marks that are required to be given to any candidate will be given to all other candidates who need some grace marks. For example, if the maximum grace marks given is 10 and two other candidates need three and four grace marks each, they will also be given a total of ten marks each.
- (iv) Candidates who qualify according to the minimum percentage laid down for the examination will get seniority *en bloc* above all those who require grace marks, irrespective of the aggregate marks of two groups. In other words, a candidate having higher aggregate marks but requiring even one grace mark will be placed below one who has got lower aggregate marks but has secured minimum qualifying marks in each paper.
- (v) Results of those who qualify in normal course will not be withheld pending decision on S.C./S.T. candidates who fail to qualify by securing the minimum number of qualifying marks in each paper. The result of all the candidates who need and are given grace marks will be declared as supplementary result.

[D.G., P. & T., New Delhi, Letter No. 26-2/81 SPB-I, dated the 4th May 1981.]

745

AK
Copy

25
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO. 1207/97

DATE OF ORDER : 09-09-1997.

Between :-

T.Suryachandra Rao

.. Applicant

And

1. Union of India rep. by the Director General, Dept. of Posts, Dak Bhavan, Sansad Marg, New Delhi-1.
2. The Chief Postmaster General, AP Circle, Dak Sadan, Abids, Hyderabad.
3. The Sr. Superintendent of Post Offices, Visakhapatnam Division, Visakhapatnam.

.. Respondents

-- -- -- --

Counsel for the Applicant : Shri Krishna Devan

Counsel for the Respondents : Shri V.Bhimanna, CGSC

-- -- -- --

CORAM:

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

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

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

-- -- -- --

R

D

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- 2 -

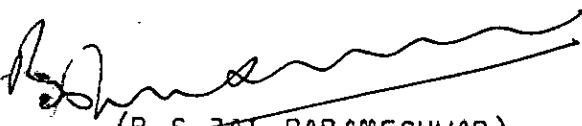
(Order per Hon'ble Shri R.Rangarajan, Member (A)).

-- -- --

Heard Sri Krishna Devan, counsel for the applicant and Sri V.Bhimanna, learned standing counsel for the respondents.

2. This OA is filed praying for a direction to Respondent No.1 to review the results of the applicant in part-I JAO examination held in November, 1992 and March, 1993 and on that basis to declare him as successful by holding that the action of the respondents in not considering the claim of the applicant in accordance with the rules as arbitrary, illegal and violative of Article 14 of the Constitution of India to enable him to appear for the remaining part-II JAO exam held from the year 1993 onwards.

3. The applicant has filed a representation dt.20-12-94 (Annexure No.6 page 14 to OA) addressed to Respondent No.1 in this connection. That representation was followed by a reminder dt.22-8-95 (Annexure-7 page-16 to OA). As these two representations are still pending, it is justifiable to direct respondent No.1 to dispose of the representations referred to above expeditiously in any case within four months from the date of receipt of a copy of this order. The O.A. is ordered accordingly at the admission stage itself. No costs.

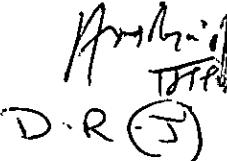

(B.S.JAI PARAMESHWAR)
Member (J)

9/9/97


(R.RANGARAJAN)
Member (A)

Dated: 9th September, 1997.
Dictated in Open Court.

av1/


D.R. (S)

DA.1207/97

1. The Director General, Department of Posts, Dak Bhavan, Sansad Marg, New Delhi.
2. The Chief Postmaster General, A.P. Circle, Dak Sadan, Abids, Hyderabad.
3. The Sr. Superintendent of Post Offices, Visakhapatnam Division, Visakhapatnam.
4. One copy to Mr. Krishna Devan, Advocate, CAT., Hyd.
5. One copy to Mr. V. Bhimanna, Addl. CGSC., CAT., Hyd.
6. One copy to D.R.(A), CAT., Hyd.
7. One duplicate copy.

~~affd/colax~~

SYD

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: 9/8/92

ORDER/JUDGEMENT

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

in

O.A. NO. 1207(87)

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
DESPATCH

29 OCT 1997

हैदराबाद आयोगी
HYDERABAD BENCH

IN THE COURT OF CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

M.A.No. 752 of 1997

in

O.A.No. of 1997

Between :-

O.A.R 2338/97

T. Suryachandra Rao, S/o. Narsulu,
Aged 39 years, Working as Office Assistant,
O/o. SSPO's, Visakhapatnam Division.
VISAKHAPATNAM.

..Applicant

A N D

1. Union of India represented by the
Director General, Department of Posts,
Dak Bhavan, Sansad Marg, New Delhi.
2. The Chief Postmaster General,
A.P. Circle, Dak Sadan, Abids,
Hyderabad.
3. The Senior Superintendent of Post Offices,
Visakhapatnam Division,
VISAKHAPATNAM.

..Respondents

APPLICATION FILED UNDER SECTION 21 (3) OF ADMINISTRATIVE ACT, 1985

For the reasons stated in the accompanying affidavit it
is prayed, in the interest of Justice and merits of the case, to
condone the delay of 400 days in filing the O.A. u/s 21 (1) (b)
of Administrative Act, 1985 which is not wanton nor wilful and to
pass such other order or orders as deemed fit and proper in the
circumstances of the case.

HYDERABAD


Counsel for the Applicant

DATE :

IN THE COURT OF THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH

AT HYDERABAD

M.A. NO. 752/97

in

O.A. No. 9338 of 1997

Between :-

T. Suryachandra Rao

..Applicant

A N D

Union of India represented by the
Director General, Department of Posts,
Dak Bhavan, Sansad Marg,
New Delhi & 2 Others.

..Respondents

A F F I D A V I T

I Sri T. Suryachandra Rao, S/o. Narsulu working as Office Assistant, Visakhapatnam, Postal Division. Having temporarily come down to Hyderabad solemnly sincerely affirm and state as follows :-

1. I have applied for the Hall Ticket to sit for the examination of JAO Part-I to be held in Visakhapatnam in the month of November 1992. But the respondents have chosen to conduct the examination for the papers 3, 4, 5 on 19.11.92 and 20.11.92 and the Papers 1 & 2 were not conducted as it has been postponed for the administrative reasons. Atlast the Papers 1 & 2 exams were held on 21.3.93 in Visakhapatnam only for which I have appeared and fared well. The Head of the Division by his letter dated 13.4.94 has communicated the results of Part-I examination and the marks in each paper was also communicated whereby it is found that I was failed as only 20 marks were secured in the Paper II.
2. As I am belonging to SC Community and as per the Director General (P & T) Letter No. 22-2/81/SPB-I dated 4.5.81 which provides that the candidates belonging to SC/ST Community even if secured Zero marks and failed, their results have to be reviewed and they be declared as successful in the qualifying examination of Part-I or II of JAO's. Interms of the said circular, I am entitled for review of my results of JAO Part-I examination held in the month of November 1992 and March '93. Even otherwise interms of Letter, Government of India, Department of Telecom 22-5/91, New Delhi dated 28.12.92. I am entitled for review

as I have secured minimum of 20% of marks in paper. The rules and regulations governing my case was within the knowledge of respondents. But the respondents have not so far reviewed my case as per the said circulars.

3. I have in my representation dated 20.12.94 followed by reminders 27.8.95 and 2.4.96 represented to all the respondents claiming review of the results of JAO Part-I examination held in the month of November 1992 and March 1993 but no action has been taken by the respondents. But in the year '96 the IV respondent while recommending my case has forwarded the personal file and the marks file to the higher authorities for review. As my claim was not yet rejected. It is understood that it is engaging the active consideration of the authorities concerned because the concerned file has already been forwarded by the Divisional Head. Hence on that ground, I was anxiously waiting for the orders from the Directorate General. Thus in the above stated circumstances the delay occurred in approaching the Hon'ble CAT after days of delay. The delay is not wanton nor wilful. The Directorate General is supposed to pass appropriate orders on my claim atleast when the case bill was forwarded by the Divisional authorities. But the Director General or the authority concerned with that has kept me anxiously awaiting for over 3 years. As a result, my prospects of success in JAO Part-II examination which I would have which I would have appeared had my case was reviewed after the file has been forwarded, would have been brighter enough. Due to the inaction of the respondents alone, I was deprived of passing JAO exam and joined the post on promotion as was done in the case of my juniors. Aggrieved by this inaction I have filed the present O.A. of 1997. The delay occurred in approaching the Hon'ble Tribunal is only of ~~60 days~~ which is neither wanton or wilful but due to the inaction of the respondents.

4. For the above stated circumstances, it is prayed that the Hon'ble Tribunal may be pleased to condone the delay of days in

To condone the delay of 400 days
in filing the AF.

IN THE COURT OF CENTRAL ADMINISTRATIVE TRIBUNAL:HYD BENCH:HYD.

M.A.No. of 1997

in

B.A.No. of 1997

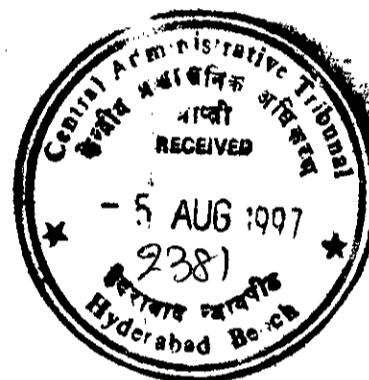
2338

Between :-

T. Suryachandra Rao . Applicant

A N D

Union of India represented
by Director General,Dept.
of Posts,Dak Bhavan,Sansad Marg,
New Delhi and 2 others ..Resps.



CONDONE DELAY PETITION

*Received
B. S. Gopala
R. H. R.D.*

Filed on :

Filed by :

Mr. KRISHNA DEVAN
(Counsel for the Petitioner)

Copy to be sent

approaching the Hon'ble Tribunal by way of O.A. as the application has got merits and in the interest of the justice the said delay may be condoned and pass such other further orders as deem it fit and proper otherwise the applicant will be put to untold hardship and mental agony.

Loony
Solemnly sincerely signed
this day of 1997.

DEPONENT

B. D.
Before me Advocate

(T. Guruchandrappa)

MS. 752/97 in OA No. 2338/97

8/8/97.

बैच केस/BENCH CASE

CENTRAL ADMINISTRATIVE TR.
HYDERABAD BENCH: HYDERABAD

Heard Mr. Krishna Devan
for the applicant and
Mr. V. Bhimanna for the
respondents.

~~Notice~~

List it on 4-9-97.

Ready in the meanwhile.

Join
HBS&SP
M(S)

D
HRRW
M(A)

Notice issued
Hg. date 4-9-97
O/A
11/8/97

9-9-97

Heard Sri Krishna Devan, for
the applicant and Sri V. Bhimanna
for the respondents.

2. Notice was issued on this MA
on 8.8.97, which is filed to condone
the delay of 400 days. No reply
has been received in this MA.
Hence we feel that there is
no need to wait for the
reply and the MA has to be
allowed in view of the relief
asked for in this OA. Hence
MA is allowed as prayed for.
Register the OA. MA ordered
accordingly.

B
HBS&SP
M(S)

D
HRRW
M(A)

To condone the delay of 400 days
in filing the OA.

Mr. Krishna Devan,
COUNSEL FOR THE APPLICANTS.

AND

Mr. N.R. Deva Rao
Sr. ADDL. STANDING COUNSEL FOR
C.G. Rlys.