

24

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

O.A.NO. 1494/97.

Date of Order: 10-11-97.

Between:

D. Subbarayudu

and

.. Applicant.

1. Union of India, rep. by
Chief Postmaster General,
A.P. Circle, Hyderabad.
2. The Superintendent of Post Offices,
Proddatur Postal Division,
Proddatur Cuddapah Dist.
3. The Sub Divisional Inspector of Post Offices,
Proddatur South Sub Division, Proddatur.
4. Pulivendla Venkanna, ED Messenger
VV Reddy Nagar Post A/w Proddatur
HO., Cuddapah Dist.

.. Respondents.

For the Applicant: Mr. K.S.R. Anjaneyulu, Advocate.

For the Respondents: Mr. V. Bheemanna, Addl. CGSC.

CORAM:

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

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

The Tribunal made the following Order:-

~~Please instruct~~ Superintendent of Post Offices,
Proddatur to despatch Sub Divisional Inspector of Post Offices,
Proddatur (South) Sub Division, --to be present in the court on 12-11-97
alongwith the selection file of ED Messenger VV Reddy Nagar Post,
Proddatur, Cuddapah. List it on 12-11-97.

Prady
10-11-97
Deputy Registrar.

To

1. The Chief Postmaster General, A.P. Circle, UOI? Hyderabad.
2. The Superintendent of Post Offices, Proddatur Postal Division,
Proddatur Cuddapah Dist.
3. The Sub Divisional Inspector of Post Offices, Proddatur
South Sub Division, Proddatur.
4. One copy to Mr. Pulivendla Venkanna, ED Messenger, VV Reddy Nagar
Post, A/w Proddatur HO, Cuddapah Dist.
5. One copy to Mr. K.S.R. Anjaneyulu, Advocate, CAT. Hyd.
6. One copy to Mr. V. Bheemanna, Addl. CGSC. CAT. Hyd. (7) One spare copy.
pvm.

I Court.

TYPED BY:

CHECKED BY:

COMPARED BY:

APPROVED BY:

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE.
VICE-CHAIRMAN

And

THE HON'BLE MR. H. RAJENDRA PRASAD :M(A)
The Hon'ble Mr. B. S. Jaiprakashwar :M(A)

DATED:- 10/11/97

~~ORDER/JUDGMENT~~

M.A.,/RA.,/C-A.No..

in

O.A.No. 1494/97

T.A.No. (W.P.)

Admitted and Interim directions issued.

Allowed list on 12/11/97

Disposed of with Directions.

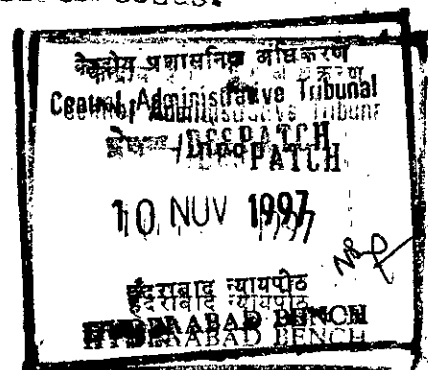
Dismissed.

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected

No. order as to costs.



261

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

G.A.NO. 1494/97.

Date of Order: 12-11-97.

Between:

D. Subbarayudu.

.. Applicant.

and

1. Union of India, rep. by
Chief Postmaster General,
A.P.Circle, Hyderabad.
2. The Superintendent of Post Offices,
Proddatur Postal Division, Proddatur
Cuddapah Dist.
3. The Sub Divisional Inspector of Post Offices,
Proddatur South Sub Division, Proddatur.
4. Pulivendla Venkanna. ED Messenger.

.. Respondents.

For the Applicant: Mr. K.S.R. Anjaneyulu, Advocate.

For the Respondents: Mr. V. Bhimanna, Addl. CGSC.

CORAM:

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

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

The Tribunal made the following Order:-

Heard Sri D. Subramanyam for Sri K.S.R. Anjaneyulu,
for the applicant and Sri V. Bhimanna, for the respondents Sri
B. Bhaskar, S D (P), Proddatur was also present in response to
the orders issued on 10-11-97.

2. Admit. Notice. Reply in 6 weeks. The respondents
shall make available the Selection Proceedings at the time of
hearing the O.A.


Deputy Registrar

To

1. The Chief Postmaster General, A.P. Circle,
Union of India, Hyderabad.
2. The Superintendent of Post Offices, Proddatur Postal
Division, Proddatur, Cuddapah Dist.
3. The Sub Divisional Inspector of Post Offices,
Proddatur South Sub Division, Proddatur.
4. One copy to Mr. Pulivendla Venkanna, ED Messenger,
V.V. Reddy Nager post A/w Proddatur HO, Cuddapah Dist.
5. One copy to Mr. K.S.R. Anjaneyulu, Advocate, CAT. Hyd.
6. One copy to Mr. V. Bhimanna, Addl. CGSC. CAT. Hyd, (7) One spare copy.

pvm.

I Court.

TYPED BY:

CHECKED BY:

COMPARED BY:

APPROVED BY:

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE.
VICE-CHAIRMAN

And

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

The Hon'ble Mr. B. S. Jai Paramanah, M.G.

DATED:- 12/11/97

~~ORDER/JUDGMENT~~

M.A.,/RA.,/C-A.No..

in

O.A.No.

1494/97

T.A.No.

(W.P.)

Admitted and Interim directions issued.

Allowed

Disposed of with Directions.

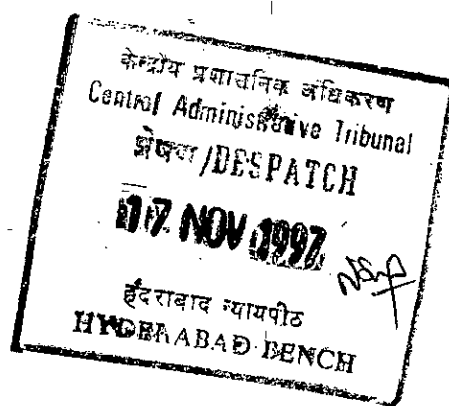
Dismissed.

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected

No. order as to costs.



26

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :: HYDERABAD BENCH
AT HYDERABAD

O.A. No. 1494 of 1997

Between :

~~Ex. Subbarayudu~~ D. Subbarayudu ... Applicant

And

Chief Postmaster-General,
A.P. Circle,
Hyderabad & others ... Respondents

REPLY STATEMENT FILED ON BEHALF OF RESPONDENTS Nos.1-3

I, H. Seshagiri Rao, s/o Narasimha Murthy, aged about 56 years, occupation : Government service; do hereby solemnly affirm and state as under :-

1. That I am working as Assistant Postmaster-General (Staff & Vigilance) in the office of the Chief Postmaster-General, A.P. Circle, Hyderabad (Respondent No. 1) and dealing with the subject matter of the case as such I am well acquainted with the facts of the case. I am filing this Reply Statement on behalf of the Respondents 1 to 3 as I have been authorised to do so. The material averments in the O.A. are denied save those that are expressly admitted hereunder.
2. The post of E.D. Messenger has fallen vacant consequent on appointment of regular E.D. Messenger as E.D.D.A-II in the same Sub Post Office vide S.D.I (P) letter dated 30.4.97. The post was notified to the Employment Exchange, Cuddapah on 8.5.97. No candidate was sponsored by the Employment

H. Seshagiri Rao
ATTESTOR

అధికారి (బడ్జెట్)
Assistant Accounts Officer (Budget)
ఆఫీస్ ఆఫ్ ది చీఫ్ పోస్టమెన్ జనరల్,
ఆ.పి. సర్కిల్, హైదరాబాద్-500 001.
A.P. CIRCLE, HYDERABAD-500 001.

H. Seshagiri Rao
DEPONENT
Asst. Postmaster General (S. & V.)
O/o. Chief Postmaster General,
A.P. Circle, Hyderabad-500 001.

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Exchange. Thereupon, the S.D.I (P) has issued an Open Notification on 12.6.97 calling for applications from the eligible S.T. candidates, since the post is reserved for S.T. community. In response to the Open Notification, the following applications have been received.

Sl. No.	Name of the Candidate	Date of Birth	Community	Marks in S.S.C without Hindi
1.	R. Bharathi	01.07.74	ST	318
2.	E. Lakshman	10.06.71	ST	231
3.	D. Subbarayudu	03.05.78	ST	327
4.	P. Narasimhulu	01.07.76	ST	258
5.	N. Sreedhar	14.05.78	ST	220
6.	N. Obayya		SC	
7.	N. Krishnaiah	01.07.66	ST	251
8.	N.V. Chalapathi	03.01.73	ST	243
9.	N. Veerabhadru	16.06.78	ST	241
10.	E. Peddamarenn	10.07.72	ST	211
11.	S. Sreenivasulu	01.06.71	ST	284
12.	K. Venkatanna	12.06.73	ST	301
13.	E. Chinnamarenn	10.01.74	ST	262

3. Among the above applications, the S.D.I (P) has called the 6 applicants from Sl. 8 to 13 to appear before him to 26.7.97 for verification of original certificates. Among the verified applications, the S.D.I(P) has selected one Sri K. Venkatanna (ST) as E.D. Messenger on 28.07.97.

Aggrieved by the action of the S.D.I(P), the Applicant

[Signature]
ATTESTOR
 सहायक लेखा अधिकारी (बजट)
 Assistant Accounts Officer (Budget)
 मुख्य पोस्टमास्टर जनरल का कार्यालय
 Office of the Chief Postmaster General,
 जी. ए. चिन्मय, हैदराबाद-500 001.
 A.P. CIRCLE: HYDERABAD-500 001.

[Signature]
DEPONENT
 Asst. Postmaster General (S. & V.)
 O/o. Chief Postmaster General,
 A.P. Circle, Hyderabad-500 001.

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who was meritorious and who was not selected for the post has represented stating that the selected candidate had secured less marks and the selection of the candidate was done under extraneous consideration. Thereupon, Respondent No. 2 has called for the file, gone through the selection and ordered that the candidature of the complainant namely the applicant should be considered after issuing a month's notice to the selected candidate. Accordingly, the Respondent-3 has issued a notice informing the selected candidate that the selection would be terminated within thirty days from date of receipt of the termination Memo. No. PF/ED-Messenger/V.V.Reddynagar/97-98, dated 07.11.97.

4. Meanwhile, the applicant has filed the present O.A. After receiving the notice from the S.D.I (P), Proddatur South Sub-Division, Sri K. Venkatanna, selected candidate has also filed O.A. No. 1588/97 in this Tribunal. Thereupon the Hon'ble Tribunal has stayed the operation of Memo. dated 7.11.97 terminating the applicant in O.A. No. 1588 of 1997.

5. The candidature of applicant who was meritorious was negatived by the appointing authority with the sole reason that the applicant did not enclose nativity residence certificate along with application and his case was rejected at the scrutiny level. According to Open Notification issued on 12.06.97 the conditions are that the candidate should reside at the place of posting after selection. Thus the rejection of application by the S.D.I (P), Proddatur South Sub Division does not stand for reason. Hence, the

ATTESTOR
 Assistant Accounts Officer (Budget)
 Office of the Chief Postmaster General,
 A.P. Circle, Hyderabad-500 001.

DEPONENT
 Asst. Postmaster General (S. & V.)
 O/o. Chief Postmaster General
 A.P. Circle, Hyderabad-500 001.

29

higher authority has interfered, reviewed the case and issued orders to the Respondent-3 for termination of the selected candidate. Director-General, Department of Posts, New Delhi; vide instructions issued in letter No. 19-23/97-ED & Trg., dated 13.11.97, has authorised the higher authority, higher than the appointing authority, to carry out such review (copy filed as Annexure Re-1)


6. In reply to Para-4(1)(2) : It is true that the candidate according to the application and his particulars belongs to Anjaneyapuram village under Khajipet Mandal in Cuddapah District. It is also a fact that the candidate has scored 327 marks in S.S.C. without Hindi and belongs to S.T. community and his application was received in time.

7. In reply to Para-4(3) : Call for verification of certificates was not sent to the applicant on the ground of non-production of residence nativity certificate. According to the instructions in D.G., P & T., letter No.17-104/93/ED & Trg dated 06.12.93, nativity is not a ~~pre~~ pre-condition for appointment. The selected candidate should take up residence at the place of duty before appointment. Insisting of nativity certificate and rejection of the candidature in its absence was not in order. It is a fact that candidate with less marks was selected by the Respondent No. 3.

8. In reply to Para-4(4) : It is also a fact that the residence condition was struck off in the Open Notification and the words are added to the effect that "or he should


ATTESTOR

అధికారి (సహ) (సహ)
Additional Assistant Officer (Budget)
అధికారి (సహ) (సహ)
Office of the Chief Postmaster General,
A.P. Circle, Hyderabad-500 001.


DEPONENT
Asst. Postmaster General (S. & V.)
O/o. Chief Postmaster General
A.P. Circle, Hyderabad-500 001.

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reside at V.V. Reddy Nagar on his selection." It is also a fact that his nativity was furnished in the Income Certificate attached to the application.

9. In reply to Para-4(5) : The selection was found to be irregular and in order to redress the grievance of the applicant, the Supdt. of Post Offices, Proddatur, the next higher authority has reviewed the selection and issued orders to the Appointing Authority to set aside the selection. The orders containing in D.G (Posts) letters are very clear about the residence condition and appointing authority has not followed these rules and hence the grievance.

For the reasons stated above, the Honourable Tribunal may be pleased to dismiss the O.A. on merits and pass such other orders as may be considered necessary in the circumstances of the case.

H. Rao
DEPONENT

Asst. Postmaster General (S. & V.)
O/o. Chief Postmaster General
A.P. Circle, Hyderabad-500 001.

Sworn and signed on this
19th day of February 1998
at Hyderabad and signed
before me.

M. S. N.
ATTESTOR

बजट तथा अधिकारी (बजट)
Accounts Officer (Budget)
मुख्य पोस्टमैटर जनरल का कार्यालय
Office of the Chief Postmaster General,
जी. पी. ऑफिस, हैदराबाद-500 001.
BRM* A.P. CIRCLE, HYDERABAD-500 001.

Department had to retain or restore the ED Agents in the appointments held by them, depriving the really deserving candidates of their legitimate right of appointment.

3. The situation arising out of CAT judgements questioning the validity of the remedial action ordered by reviewing authorities has been deliberated upon thoroughly. It is observed that an authority which is higher than the appointing authority, in accordance with established principles, enjoys supervisory powers to revise the administrative orders of the subordinate authorities for good and sufficient reasons and pass procedure indicated below:-

- (i) The question whether appointment of a particular ED Agent to a post was erroneous or not should be decided by an authority next higher than the appointing authority in accordance with the established principles governing appointments.
 - ii) In regard to appointment which was made in contravention of executive or administrative instructions, there is no objection to the competent authority passing an order rectifying the earlier erroneous appointment order of the ED Agent which was passed in contravention of the existing rules/instructions whether statutory or administrative/Executive, as otherwise, it would amount to perpetuation of the mistake and would be detrimental to the larger interests of Government. However, in these cases the principles of Natural Justice should be complied by giving the ED Agent to be heard before passing any order adversely affecting him. There is no need to invoke ED Agent (Conduct and Service) Rules, 1964, while passing final orders in such cases.
 - iii) Cases of erroneous appointments should be viewed with serious concern and suitable disciplinary action should be taken against the officers and staff responsible for such erroneous appointments.
4. While complying with the directions given by the next higher authority, the appointing authority will ensure that a proper show-cause notice is issued to the ED Agents concerned and his representation, if any, is forwarded to the next higher authority for taking it into account before passing the final orders.
5. The contents of this letter may please be brought to the notice of all concerned for information/guidance/compliance action.
6. The receipt of this letter may please be acknowledged.

Yours faithfully,

Sd/-

/U.S. PURIA/

Asst. Director General (ED&TRG)

(42)
Annexure R-31

DEPARTMENT OF POST - INDIA
Office of the Chief Postmaster General, AP Circle, Hyderabad
-O-

To
All PMsG in A.P.Circle,
SSP, Hyd.City/Sec-bad/South East Dn.
SSRM, Hyd. Stg. Dn.
SP, CSD/PSD, Hyderabad

No. ST/30-EDA/Rlgs/XI dtd. at Hyderabad-500 001 the 25-11-1997
-O-

Sub:- Appointment of ED Agents - Question whether the appointments made to ED posts can be reviewed by the authority higher than the appointing authorities and appropriate remedial action ordered, if any, appointment is found to be in contravention of the instructions.
-.-

A copy of Dte. lr.no. 19-23/97-ED&TRG dtd. 13-11-97 on the subject is sent here with for information, guidance and necessary action.

H. SESHAGIRI RAO/
Asst. Postmaster General (S&V),
o/o CPMG, AP Circle, Hyderabad
2/11

Copy of Dte. lr. 19-23/97-ED&TRG Dt. 13-11-97 ✓

Sub:- as above.

S i r,

I am directed to state that instructions have been issued from this office from time to time laying down the conditions required to be fulfilled by candidates for appointment as ED Agents of various categories, the procedure to be followed in calling for nominations, prior verification of educational, income/property certificates, etc. in spite of these instructions, during the course of periodic inspections and on receipt of complaints in this regard, higher authorities come across cases of irregular appointments of ED Agents. In some cases, the appointments are found to have been made erroneously. To set right the irregular appointments, the superior or reviewing authorities have to pass orders requiring the appointing authorities to cancel such irregular appointments and make fresh appointments.

2. In a number of cases of the type referred to above, the affected person have sought judicial intervention on the grounds that the action ordered by the reviewing authorities is illegal in-as-much-as no such powers have been vested in them as per the P&T ED Agents (Conduct & Service) Rules, 1964 which are usually invoked in such cases. Quite often, the ED Agent concerned is also not given an opportunity to represent against his impending termination and to that extent, the principle of natural justice also appears to be jeopardised in such cases. In many of these cases, the submissions of the applicants have been accepted by the CAT benches and the

Contd..2/P

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD

O.A. No. 1494 of 1997

Between :

D. Subbarayudu .. Applicant

And

Chief Postmaster-General,
A.P. Circle,
Hyderabad &
others

.. Respondents



Filed on :

copy received
H. S. Sanyal
4-3-98

Filed by : V. Bheemanna,
Addl. C.G.S.C.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

C.A.1494/97.

Dt.of Decision : 24-03-99.

D.Subbarayudu

.. Applicant.

Vs

1. The Union of India rep. by
the Chief Post Master General,
A.P.Postal Circle, Hyderabad.
2. The Supdt. of Post Offices,
Proddatur Postal Division,
Proddatur, Cuddapah District.
3. The Sub-Divisional Inspector
of Post Offices, Proddatur South
Sub Division, Proddatur.
4. Pulivendla Venkanna

.. Respondents.

Counsel for the applicant : Mr.K.S.R.Anjaneyulu

Counsel for the respondents : Mr.V.Bhimanna, Addl.CGSC.

CORAM:-

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

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

R

..2/-

R

ORDER

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

Heard Mr.Subramanyam for Mr.K.S.R.Anjaneyulu,
learned counsel for the applicant. None for the official
respondents. Notice served on R-4. Called absent.

2. Mr.P.Venkanna has been impleaded as R-4. We
checked up the application received in this connection.
The name of R-4 is not found in that list which has been
given in Page-2 of the reply. In the reply it is stated
that the name is K.Venkatanna. We have also checked up
the official proceedings from the file. It is also noted
as K.Venkatanna. Hence it is not known who R-4 is. Even
if he has received notice he will submit that he is not
~~K. Venkatanna~~
~~P. Venkanna~~ and hence he is no way connected with this case.

3. In view of the above, the OA is dismissed.
No costs.


(B.S.JAI PARAMESHWAR)
MEMBER(JUDL.)
24.3.99


(R. RANGARAJAN)
MEMBER(ADMN.)

Dated : The 24th March, 1999.
(Dictated in the Open Court)

spr

Copy to:

1. HDHND
2. HHRP M(A)
3. HBSOP M(J)
4. D.R. (A)
5. SPARE

24/99 ✓
1ST AND 11ND 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 (J)

DATED: 24.3.99

ORDER/JUDGEMENT

MA./RA./CP.No.

IN

O.A. NO. 1494/97

ADMITTED AND INTERIM DIRECTIONS
ISSUED.

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

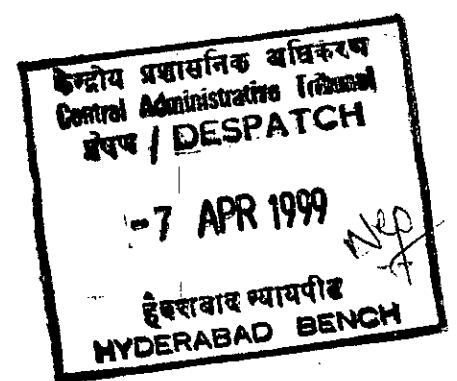
DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

SRR

76/245



OFFICE
WIRE AT BENT'S COST



TO
SUPERINTENDENT OF POST OFFICES
PRODDATUR POSTAL DIVISION
PRODDATUR CUDDAPAH DIST

BY ORDER OF TRIBUNAL DT 10-11-97 PASSED IN OA 1494/97
FILED BY MR D SUBBARAYUDU R/O ANJANEYAPURAM THAJIPET MANDAL
CUDDAPAH DIST IT IS ORDERED THAT YOU THE SUPERINTENDENT OF POST
OFFICES PRODDATUR TO DESPATCH SUB DIVISIONAL INSPECTOR OF
POST OFFICES PRODDATUR (SOUTH) SUB DIVISION TO BE PRESENT IN THE
COURT ON 12-11-1997 ALONGWITH THE SELECTION FILE OF E D MESSENGER
V V REDDY NAGAR POST PRODDATUR CUDDAPAH -- ORDERFOLLOWS:-

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

Not to be telegraphed

O.A.No. 1494/97

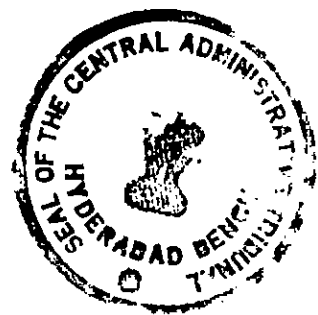
Dt. 10-11-97.

CAT.Hyd.Bench.

[Signature]
SECTION OFFICER(J)
SECTION OFFICER
Central Administrative Tribunal
Hyderabad Bench.

OFFICE
SECRETARY GENERAL, GOVT

TO
SUPERINTENDENT OF POST OFFICES
HYDERABAD DIVISION
HYDERABAD



BY ORDER OF THE CHIEF JUSTICE OF 10-11-97 PASSED IN OR 1494/97
AND BY THE CHIEF JUSTICE OF 1/0 AND BY THE CHIEF JUSTICE OF 1/0
COMMISSIONER IT IS ORDERED THAT YOU THE SUPERINTENDENT OF POST
OFFICES PROCEED TO DESPATCH SUB DIVISIONAL INSPECTOR OF
POST OFFICES PROSECUTOR (GOVT) SUB DIVISION TO BE PRESENT IN THE
COURT ON 12-11-1997 ALONGWITH THE COLLECTION FILE OF E D MESSING
V V B LAY N CAR FORT PROSECUTOR COMMISSION — TELETYPE NO:-

CHIEF JUSTICE TRIBUNAL
HYDERABAD

Not to be telegraphed

O.A.No. 1494/97

Dt. 10-11-97.

Ch. J. Bench.

For Sr.
SECTION OFFICER(J)
SECTION OFFICER
Central Administrative Tribunal
Hyderabad Bench.

C.A.No. 1494/97.

Date of Order: 10-11-97.

Between:

1. Subbarayudu

and

.. Applicant.

1. Union of India, rep. by
Chief Postmaster General,
.. Circle, Hyderabad.
2. The Superintendent of Post Offices,
Proddatur Postal Division,
Proddatur Cuddapah Dist.
3. The Sub-Divisional Inspector of Post Offices,
Proddatur South Sub-Division, Proddatur.
4. Pulivendla Venkanna, M.essenger
V. Reddy Nagar Post P/W Proddatur
Dist., Cuddapah Dist.

.. respondents.

For the Applicant: Mr. K.L.N. Anjanyulu, Advocate.

For the respondents: Mr. V. Chennamma, Addl. Secy.

On:

ALL INDIA POSTAL SERVICE TRIBUNAL: HYD (12/11/97)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYD (12/11/97)

The Tribunal made the following order:-

~~Superintendent of Post Offices,~~
Proddatur to despatch Sub-Divisional Inspector of Post Offices,
Proddatur (South) Sub-Division, to be present in the court on 12-11-97
alongwith the selection file of M.essenger V. Reddy Nagar Post,
Proddatur, Cuddapah. List it on 12-11-97.

प्रमाणित प्रति

CERTIFIED TO BE TRUE COPY

न्यायालय
कोर्ट
केन्द्र प्रशासनिक न्यायालय
Central Administrative Tribunal
हैदराबाद बेंच
HYDERABAD BENCH

12/11/97

Deputy Registrar.

10

1. The Chief Postmaster General, .. Circle, Hyderabad.
2. The Superintendent of Post Offices, Proddatur Postal Division,
Proddatur, Cuddapah Dist.
3. The Sub-Divisional Inspector of Post Offices, Proddatur
South Sub-Division, Proddatur.
4. One copy to M. Pulivendla Venkanna, M.essenger, V. Reddy Nagar
Post, P/W Proddatur Dist., Cuddapah Dist.
5. One copy to Mr. K.L.N. Anjanyulu, Advocate, .. Hyd.
6. One copy to Mr. V. Chennamma, Addl. Secy. .. Hyd. (7) One spare copy.
viva.

G.O. No. 1674/97.

Date of Order: 10-11-97.

Between:

1. Atbarayudu

.. Applicant.

1. Union of India, rep. by
Chief Postmaster General,
.. Circle, Hyderabad.
2. The Superintendent of Post Offices,
Proddatur Postal Division,
Proddatur Cuddapah Dist.
3. The Sub Divisional Inspector of Post Offices,
Proddatur South Sub Division, Proddatur.
4. Pulivendla Venkanna, Messenger,
W Reddy Nagar Post, W Proddatur
.. Cuddapah Dist.

.. Respondents.

For the Applicant: Mr. P.S.S. Rajayulu, Advocate.

For the Respondents: Mr. V. Sheemanna, Adl. C. C.

Copy to:

Mr. P.S.S. Rajayulu, Advocate, ..

Mr. V. Sheemanna, Adl. C. C., ..

The Tribunal made the following order:-

~~Proddatur~~ Superintendent of Post Offices,
Proddatur to despatch Sub Divisional Inspector of Post Offices,
Proddatur (South) Sub Division, to be present in the court on 12-11-97
along with the selection file of .. Messenger W Reddy Nagar Post,
Proddatur, Cuddapah. List it on 12-11-97.

प्रमाणित प्रति
CERTIFIED TO BE TRUE COPY

भारतीय प्रशासनिक सेवा रजिस्ट्रार (स्थानिक)
Court Officer/Dy. Registrar
केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
हैदराबाद स्थापना
HYDERABAD BENCH

.. x
Deputy Registrar.

1. The Chief Postmaster General, .. Circle, UOI Hyderabad.
2. The Superintendent of Post Offices, Proddatur Postal Division,
Proddatur Cuddapah Dist.
3. The Sub Divisional Inspector of Post Offices, Proddatur
South Sub Division, Proddatur.
4. One copy to Mr. Pulivendla Venkanna, Messenger, W Reddy Nagar
Post, W Proddatur .. Cuddapah Dist.
5. One copy to Mr. P.S.S. Rajayulu, Advocate, ..
6. One copy to Mr. V. Sheemanna, Adl. C. C., .. (7) One spare copy.

(1) V.B.

S.No. 1494/97.

Date of order: 12-11-97.

Between:

1. Subbarayudu.

.. Applicant.

And

1. Union of India, rep. by
Chief Postmaster General,
M. Circle, Hyderabad.
2. The Superintendent of Post Offices,
Proddatur Postal Division, Proddatur
Maddurah Dist.
3. The Sub-Divisional Inspector of Post Offices,
Proddatur South Sub Division, Proddatur.
4. Pulivendla Venkanna, Messenger.

.. Respondents.

For the applicant: M. S. S. Srinivasulu, Advocate.

For the respondents: M. V. Himanna, Adl. J.C.

On:

1. The Union of India, rep. by Chief Postmaster General, M. Circle, Hyderabad.

2. The Superintendent of Post Offices, Proddatur Postal Division, Proddatur, Maddurah Dist.

The Tribunal made the following orders:-

1. The Union of India, rep. by Chief Postmaster General, M. Circle, Hyderabad, for the applicant and M. V. Himanna, for the respondents and M. S. S. Srinivasulu, Advocate, Proddatur was also present in response to the orders issued on 10-11-97.

2. Admit. Notice. Reply in 6 weeks. The respondents shall make available the Selection Proceedings at the time of hearing the case. प्रमाणित प्रति

CERTIFIED TO BE TRUE COPY

[Signature]

स्वागतम् श्री जयप्रकाश (स्वागत)

Court of Justice, Registrar

केन्द्रीय प्रशासनिक निकाय

Central Administrative Tribunal

To

हैदराबाद स्वागत

Ad/ x x
Deputy Registrar

- To
1. The Chief HYDERABAD BENCH, M. Circle, Union of India, Hyderabad.
 2. The Superintendent of Post Offices, Proddatur Postal Division, Proddatur, Maddurah Dist.
 3. The Sub-Divisional Inspector of Post Offices, Proddatur South Sub Division, Proddatur.
 4. One copy to Mr. Pulivendla Venkanna, Messenger, Proddatur.
 5. One copy to Mr. S. S. Srinivasulu, Advocate, M. Circle, Hyderabad.
 6. One copy to Mr. V. Himanna, Adl. J.C., M. Circle, Hyderabad. (2) One spare copy.
- pva.

ORDER

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

Heard Mr.Subramanyam for Mr.K.S.R.Anjaneyulu,
learned counsel for the applicant. None for the official
respondents. Notice served on R-4. Called absent.

2. Mr.P.Venkanna has been impleaded as R-4. We
checked up the application received in this connection.
The name of R-4 is not found in that list which has been
given in Page-2 of the reply. In the reply it is stated
that the name is K.Venkatanna. We have also checked up
the official proceedings from the file. It is also noted
as K.Venkatanna. Hence it is not known who R-4 is. Even
if he has received notice he will submit that he is not
K. Venkatanna
~~P. Venkanna~~ and hence he is no way connected with this case.

3. In view of the above, the OA is dismissed.

No costs.

प्रमाणित प्रति
CERTIFIED TRUE COPY

क्रमांक
CASE NUMBER OA 1494/97
दि. २४-३-९९
DATE OF JUDGMENT 24-3-99
प्रति हस्ताक्षर 5-4-99
COPY MADE READY ON.....

स. न्यायाधीश श्री. रंगराजन अद्विकारी
Section Officer/Court Officer
केन्द्रिय प्रशासनिक न्यायाधिकरण
Central Administrative Tribunal
हैदराबाद बेंच
HYDERABAD BENCH.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.1494/97.

Dt.of Decision : 24-03-99.

D.Subbarayudu

.. Applicant.

Vs

1. The Union of India rep. by
the Chief Post Master General,
A.P.Postal Circle, Hyderabad.
2. The Supdt. of Post Offices,
Proddatur Postal Division,
Proddatur, Cuddapah District.
3. The Sub-Divisional Inspector
of Post Offices, Proddatur South
Sub Division, Proddatur.
4. Pulivendla Venkanna

.. Respondents.

Counsel for the applicant : Mr.K.S.R.Anjaneyulu

Counsel for the respondents : Mr.V.Bhimanna, Addl.CGSC.

CORAM:-

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

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

R

..2/-

R



CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.
1st Floor, HAC, Bhavan, Opp: Public Garden, Hyderabad. 500004.A.P.

ORIGINAL APPLICATION NO. 1494 OF 1997

Applicant(S)

V/S

Respondent(S)

D. Subbarayudu.
By Advocate Shri:

The Chief Post Master
Hyderabad & others.

K. S. S. Anjaneyulu.

(By/Central Govt. Standing Counsel)

To.

Mr. V. Bhimanna & Adl. CCSC.

1. The Chief Post Master General Andhra Pradesh Postal Circle, Hyderabad.
2. The Superintendent of Post Offices, Proddatur Division, Proddatur District.
3. The Sub Divisional Inspector of Post Offices, Proddatur South Sub-Division, Proddatur.
4. Pulivendla Venkanna, officiating as PD Messenger, V.V. Sanyal Nagar Post, Proddatur Dist.

Whereas an application filed by the above named applicant under Section 19 of the Administrative Tribunal Act, 1985 as in the copy annexed hereunto has been registered and upon preliminary hearing the Tribunal has admitted the application.

Notice is hereby given to you that if you wish to contest the application, you may file your reply along with the document in support thereof and after serving copy of the same on the applicant or his Legal practitioner within 30 days of receipt of the notice before this Tribunal, either in person or through a Legal practitioner/ Presenting Officer appointed by you in this behalf. In default, the said application may be heard and decided in your absence on or after that date without any further Notice.

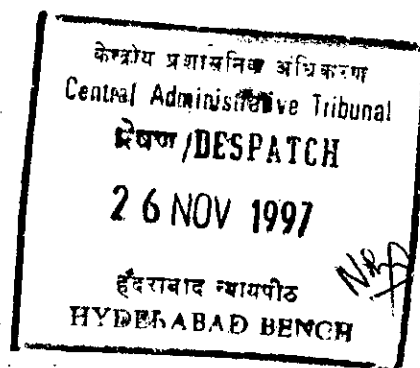
Issued under my hand and the seal of the Tribunal

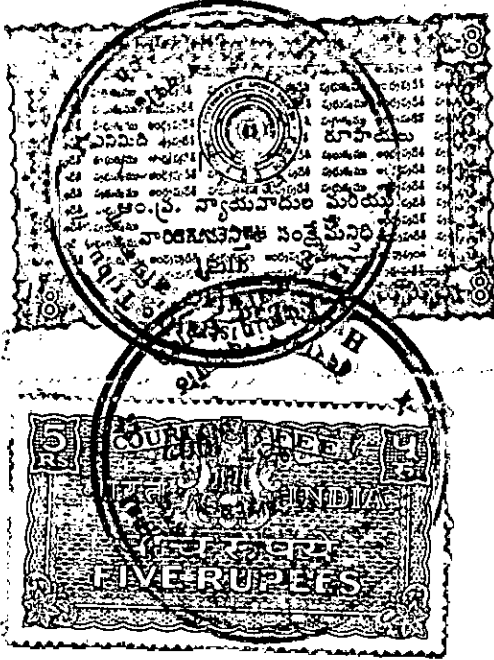
This the . . . Twelfth, day of November, . . . 1997.

//BY ORDER OF THE TRIBUNAL//

Date: 20-11-97.

FOR REGISTRAR.





Central Administrative Tribunal :
Hyderabad Bench at Hyderabad

O A No.

of 199

Between

D - Subbarayudu
S/o Subbanna and
Aged 1945
R/o Anjaneyapuram
Khajurketa Mandal
Andalash Dist

And
Union of India represented
by

- 1) C.P.R. G. A.P. Hyderabad
- 2) S.P. Proddatur for
- 3) S.D. Proddatur Sub for
- 4) Rukhendra Venkanna

VAKALAT

ACCEPTED

ADVOCATES FOR APPLICANT / RESPONDENT

Address of Service :

Phones : 7617006
7601284

**K. S. R. ANJANEYULU
D. SUBRAHMANYAM**

ADVOCATES

1-1-365/A, Jawaharnagar, (5th Street)
Bakaram, Hyderabad - 500 020.

In the Central Administrative Tribunal : Hyderabad Bench at Hyderabad

O.A No. 1494 of 1997

D - Subbarayudu & D. Subbanna
Aged 19 yrs R/o Anjaneyapuram
Kothurpet Mandal Chittoor Dist. — Applicant

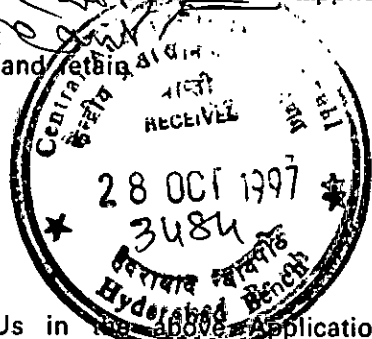
VERSUS

Union of India represented by
1) C P & A.P. Wode Hyderabad
2) Supdt. of Pds Production
3) S.D. J.P. Production South Subdr
4) Pulimunda Venkanna & Sons
5) V. Reddy Nagar Po Production
6) Subbarayudu & D. Subbanna — Applicant

1/We

In the above Application do hereby appoint and retain

K. S. R. ANJANEYULU
ADVOCATE
and
D SUBRAHMANYAM
ADVOCATE



Advocate/s of the High Court to appear for Me/Us in the above Application and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein, including applications for return of documents or the receipt of any money that may be payable to Me/Us in the said Application and also to appear in all appeals, and applications under clause XV of the Letters Patent and in applications for review and for leave to appeal to the Supreme Court.

L.D. Subbarayudu &

CERTIFICATE
WATERS

I certify that the contents of the this Vakalat were read out and explained in.....in my presence to the executant, or executants who appeared perfectly to understand the same and made his, or her or their signature or mark or marks in my presence.

Executed before me this 27th day of Oct 1997

[Signature]
ADVOCATE

45

In the CA, H.S. 7

② A. no. 1494 of 97

Memo of Appearance

Filed by

V. Dharmanna

Adv. C.S.C.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :: HYDERABAD BENCH
AT HYDERABAD

O.A. No. 1494 of 97

M.M.O. OF APPEARANCE

Between :

D. Subbarayudu

Applicant(s)

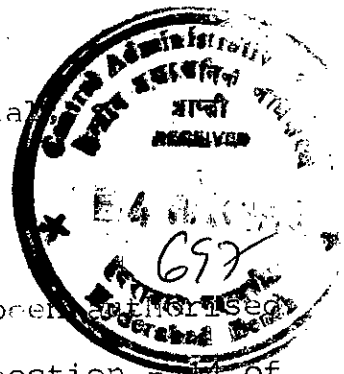
And

Chief PMG. Ad. Circle & OHS

Respondent(s)

To

The Registrar,
Central Administrative Tribunal
Hyderabad Bench,
H. Y D E R A B A D



Sir,

I, V. BHIMAINA, Advocate, having been authorised by the Central Government, notified under Section - 14 of the Administrative Tribunals Act 1985, hereby appear for the respondents and undertake to plead and act for them in all matters in the above said case.

Hyderabad,

Dated : 4-3-98

V. Bhimaina
Signature of the Counsel
Addl. CGOC/SC for Railways

Address of the Counsel :

203, Renuka Shakti Apartments,
King Koti Road,
Basheerbagh,

HYDERABAD - 500 029