

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.1601/97

DATE OF ORDER : 02-12-1997.

Between :-

A.Venkata Narayana

... Applicant

And

1. The Sub-Divisional Inspector
of Post Offices,
Markapur Sub-Division, Nandyal
Division, Kurnool District.
2. The Supdt. of Post Offices,
Nandyal Division,
Nandyal, Kurnool District-518 501.
3. P.V.Narayana
4. The Inspector of Police,
Yerragondapalem, P.S.
Prakasam District.

... Respondents

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Counsel for the Applicant : Shri Krishna Devan

Counsel for the Respondents : Shri N.R.Devaraj, Sr.CGSC

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CORAM:

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

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

(Order per Hon'ble Shri H.Rajendra Prasad, Member (A)).

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... 2.

(Order per Hon'ble Shri H.Rajendra Prasad, Member (A)).

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Heard Sri Krishna Devan, counsel for the applicant and Sri W.Satyanarayana for Sri N.R.Devaraj, standing counsel for the respondents.

2. The short point in this case is that, although the applicant had been functioning on provisional basis as EDBPM, Gangavaram B.O. since 1995, he has been unceremoniously sent out while he was on leave by compelling his substitute to make over the charge of the office to Respondent No.3, who is said to have been selected on a regular basis. The applicant is not contesting the selection of Respondent No.3 in this O.A., but only protesting the manner in which he has been compelled to relinquish the office of BPM even while on leave.

3. It is not considered worthwhile to go into great detail. It is conceded, on instruction, by Sri W.Satyanarayana, counsel for the respondents, that the applicant was indeed working since 12-1-95 on a provisional basis and that the selected candidate had been asked to take over charge from a substitute BPM during the applicant's absence on leave. ^{true, it} It is felt that there was hardly any reason for such unseemly hurry in a routine matter like exchange of charge of a B.O., and the authorities could well have waited for a few days more to enable the applicant to return from leave before forcing a charge abruptly. It appears, however, that the selected candidate has already taken charge. In these circumstances, it is adequate to permit the respondents to continue the arrangement,

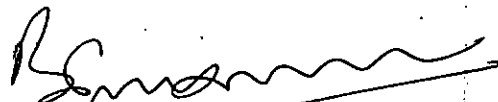
Jai *9/11*

and to allow Respondent No.3 to function as EDBPM, Gangavaram B.O. since he seems to have been selected on a regular basis.

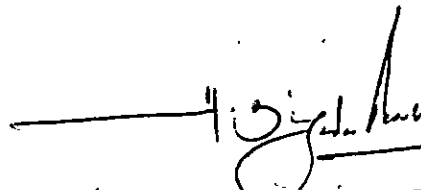
A formal assumption/relinquishment of charge shall, however, be done on only 15-12-97, the date on which the applicant is stated to be due to return from leave. A copy of the appointment order in respect of respondent no.3 may be served on the applicant since he is required to make over charge on the basis of such appointment.

4. Thus the O.A. is disposed of at the admission stage.

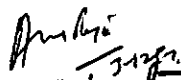
No order as to costs.


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

2/12/97


(H. RAJENDRA PRASAD)
Member (A)

Dated: 2nd December, 1997.
Dictated in Open Court.


Deputy Registrar

avl/

O.A.1601/97.

To

1. The Sub Divisional Inspector, Of Post Offices,
Markapur Sub Division, Nandyal Division,
Kurnool Dist.
2. The Supdt.of Post Offices,
Nandyal Division, Nandyal, Kurnool Dist-501.
3. The Inspector of Police,
Yerragondapalem PS, Prakasam Dist.
4. One copy to Mr.Krishna Devan, Advocate, CAT.Hyd.
5. One copy to Mr.N.R.Devraj, sr.CGSC. CAT.Hyd.
6. One copy to HHRP.M.(A) CAT.Hyd.
7. One copy to D.R.(A) CAT.Hyd.
8. One spare copy.

pvm.

11/12/97
(9)

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 JAIN :M(B)

DATED:- 21/12/97

ORDER/JUDGMENT.

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

in

O.A.No. 1601/97.

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.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
प्रेषण/DESPATCH
- 9 DEC 1997
हैदराबाद न्यायपीठ
HYDERABAD BENCH