

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

O.A.No.1703 OF 1997.

DATE OF ORDER:2-3-1999.

BETWEEN:

M.Hanumantha Rao.

....Applicant

a n d

1. Senior Superintendent of Post
Offices, Bhimavaram Division,
Bhimavaram, West Godavari District.
2. Postmaster General,
Vijayawada Region, Vijayawada.
3. Chief Postmaster General,
Andhra Pradesh Circle,
Hyderabad.

.....Respondents

COUNSEL FOR THE APPLICANT :: Mr.S.Ramakrishna Rao

COUNSEL FOR THE RESPONDENTS :: Mr.V.Bhimanna

CORAM:

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN)

A N D

THE HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (JUDL)

: O R D E R :

ORAL ORDER (PER HON'BLE SRI R.RANGARAJAN, MEMBER (A))

Heard Mr.S.Ramakrishna Rao, learned Counsel
for the Applicant.

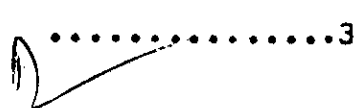
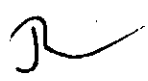


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2. The applicant in this OA joined as a Postal Assistant with effect from 14-8-1968. He was given One Time Promotion under T8OP Scheme with effect from 15-1-1985. The applicant submits that he is due for promotion under BCR Scheme with effect from 1-1-1995.
3. The applicant submitted a representation for the above relief to the respondent-authorities. That representation was rejected by the impugned Order No.85/II/TB, dated:2-4-1996 (Annexure.A-V to the OA), on the ground that the DPC had assessed him unfit and there is no need to interfere with the decision of the DPC.
4. This OA is filed to set aside the impugned Order No.85/II/TB, dated:2-4-1996, and to call for the records pertaining to the selection of the applicant with effect from 1-1-1995, and for a further direction to the respondents to promote the applicant to the cadre of BCR with effect from 1-1-1995, as there was no disciplinary action pending on that day.
5. A reply has been filed in this OA. The main contention of the respondents is that the applicant was considered unfit for promotion on the basis of the records for promotion with effect from 1-1-1995. He was also not found fit subsequently also for promotion under the BCR Scheme. He was promoted under the BCR Scheme from 1-7-1997. Hence, the respondents submit that there is no material to grant the relief in this OA.


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6. It is evident from the reply that the applicant was not found fit for promotion under BCR Scheme with effect from 1-1-1995 on the basis of the records of the DPC. As the DPC proceedings cannot be over-ruled by this Bench, we have no other option except to dismiss this OA. The applicant also has not filed any Rejoinder contesting the submissions made in the reply.

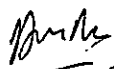
7. In view of what is stated above, we find no merit in this OA. Hence, the OA is dismissed.

No costs.


(B.S.JAI PARAMESHWAR) (R.RANGARAJAN)
2/3/99

DATED: this the 2nd day of March, 1999

Dictated to steno in the Open Court


5-388.

DSN

Copy to:

1. HDHND
2. HHPP M(A)
3. HOSJP M(J)
4. D.R.(A)
5. SPARE

Let and Lind Court.

12/3/99

Typed By
Compared by

Checked by
Approved by

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD.

THE HON'BLE MR. JUSTICE D.H. NASIR:
VICE - CHAIRMAN

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

THE HON'BLE R. RANGARAJAN
MEMBER (A)

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

DATED: 2-3-99

ORDER/JUDGMENT

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

IN

O.A.NO : 1703/97

ADMITTED AND INTERIM DIRECTIONS
ISSUED.

ALLIED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

(7 copies)

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
प्रेषण / DESPATCH

11 MAR 1999

हैदराबाद न्यायपीठ
HYDERABAD BENCH