

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

99.

O.A.No.51/98

Date of Order : 9.11.99

BETWEEN :

G.Narsing Rao

.. Applicant.

AND

Assistant Superintendent of
Post Offices, Hyderabad West
Sub Division, Hyderabad.

.. Respondents.

- - -

Counsel for the Applicant .. Mr. S. Lakshma Reddy

Counsel for the Respondents .. Mr. B.N. Sharma

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CORAM :

HON'BLE SHRI D.H.NASIR : VICE CHAIRMAN

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

- - -

O R D E R

X As per Hon'ble Shri R.Rangarajan, Member (Admn.) X

- - -

Ms. Lakshmi for Mr. S. Lakshma Reddy, learned counsel
for the applicant and Ms. Padma Priya for Mr. B.N. Sharma,
learned standing counsel for the respondents.

2. The applicant in this OA was appointed as a provisional
ED Packer in Seetarampet Post Office. He was replaced by
one Sri Durga Raju.



3. This OA is filed praying for a declaration that the action of the respondents in orally directing the applicant herein not to attend the office w.e.f. 8.1.99 amounts to illegal termination of the services of the applicant violating articles 14 and 16 of the Constitution of India and for a consequential direction to the respondents to continue the applicant in service as EDMC with all consequential benefits.

4. The main contention of the applicant is that he was replaced by an another provisional ED Packer. But the above submission is not in order as can be seen from the reply. In the reply it is stated that one Sri J.Durga Rao (SC) who was a thrown out ED Agent as per CAT judgement in O.A.707/97 dated 2.3.98 was provided alternate appointment of EDMC of Seetarampet Post Office terminating the existing arrangement by letter dated 5.1.99. Sri Durga Raju joined as EDMC/Packer Seetarampet Post Office by terminating the provisional appointment of the applicant herein.

5. From the above reply it is clear that the applicant was not replaced by another provisional ED Agent but by a be thrown out ED Agent and that posting should/treated as a regular posting of the EDMC/Packer. Hence the contention of the applicant fails and that leads to the dismissal of the OA.

6. OA is dismissed. No costs.

(R.RANGARAJAN)
Member (Admn.)

(D.H.NASIR)
Vice Chairman

Dated : 9th November, 1999

(Dictated in Open Court)

sd

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH : HYDERABAD.

1ST AND 2ND COURT

COPY TO :-

1. BOBHO
2. HRRN M (A)
3. BBSJP M (J)
4. D.R. (A)
5. SPARE
6. ADVOCATE
7. STANDING COUNSEL

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE HON'BLE MR. JUSTICE D.H.NASIR

VICE - CHAIRMAN

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

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

6/12

* * *

DATE OF ORDER: 11/11/99

MA/RA/CP No.

in
DA. NO. SI/10899.

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

CP CLOSED

RA CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED / REJECTED

NO ORDER AS TO COSTS

6 copies

