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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH
AT HYDERABAD

O.A.No.981/99

Date of Order:9.8.99

BETWEEN:

Achanta Subba Rao .. Applicant.

AND

1. The Superintendent of
Post Offices,
Tadepallygudem Division,
Tadepallygudem, W.G.Dist.

2. The Post Master,
Tadepallygudem Head Office,
Tadepallygudem, W.G.Dist. .. Respondents.

— — —

Counsel for the Applicant .. Mr.T.Venkat Reddy

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

— — —

CORAM :

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

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

— — —
O R D E R

)(As per Hon'ble Shri B.S.Jai Parameshwar,Member(J))(

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Mr.T.Venkat Reddy, learned counsel for the applicant and Mr.M.C.Jacob for Mr.B.N.Sharma, learned standing counsel for the respondents.

2. The applicant herein submitted his candidature to the post of EDBPM, Velivenna Branch Office under Kanuru Sub Office in response to the notification dated 30.12.98. The last fixed for receipt of the

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applications was 1.2.99. The applicant submits that he had submitted his application under certificate of postings on 1.2.99.

3. The applicant caused a legal notice to the respondents for considering his case for that posting along with others who applied for that post as he submitted his application in time. He further adds that he approached the Superintendent of Post Offices which is in the first floor at Tadepallygudem to hand over the application personally where~~s~~ the 2nd respondent's office is situated in the Ground floor of the same building. But the official refused to accept the application personally and informed him he should send the application through post. He came downstairs and he posted his application under certificate of posting. The applicant sates that he submitted his application in time as per the directions of the post office and hence his case cannot be rejected on the ground that he submitted his application late.

4. The case of the applicant is rejected by the impugned rejection order dated 17.6.99.

5. This OA is filed challenging the impugned letter 17.6.99 and for a consequential direction to the respondents to consider his case also along with others for the above said post.

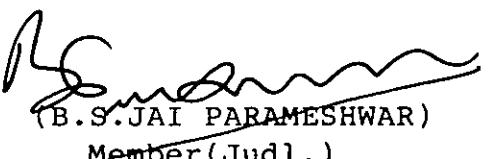
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6. This OA is filed not against the selection or issue of the notification for filling up the post. The case arises because of the rejection of the applicant as it is alleged that he has not submitted his application in time. Hence the impugned order dated 17.6.99 is an appealable one to the higher authorities of the department.

7. Hence the applicant if so advised may submit a detailed representation to D.P.S., Vijayawada Region within 5 days from today. If such a representation is received that official should dispose of the representation after making enquiries in accordance with the law. Till such time his representation is disposed if submitted as per the time stipulated, the notification dated 30.12.98 should not be processed further.

8. The OA is ordered accordingly. No costs.


B.S.JAI PARAMESHWAR)

Member (Judl)

9.8.99

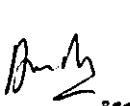
Dated : 9th August, 1999

(Dictated in Open Court)


(R.RANGARAJAN)

Member (Admn.)

sd


B.S.JAI
PARAMESHWAR

cc To day

1st AND II nd COURT

COPY TO:-

1. H.D.H.N.J
2. H.R.R.N.M (A.)
3. H.B.S.J.P.M (J)
4. D.R. (A.)
5. SPARE
6. ADVOCATE
7. STANDING COUNSEL

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.R. RANGARAJAN: ✓
MEMBER (ADMN)

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

ORDER DATE: 9/8/99

MA/RA/CP.NO

IN
O.A.NO.

981/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

C.P. CLOSED

R.A. CLOSED

O.A. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

केन्द्रीय व्यापारिक अधिकरण
Central Administrative Tribunal
छवण / DESPATCH

13 AUG 1999

हैदराबाद न्यायालय
HYDERABAD BENCH