

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCHO.A. 31/99Date of decision: 21/1/99Between:

Abdul Rawoof

.. Applicant

A N D

Superintendent of Post Offices,
Sangareddy Division,
Sangareddy.

.. Respondent.

Counsel for the Applicant : Mr. S. Ramakrishna Rao

Counsel for the respondent : Mr. Vinod Kumar

Coram:

Hon'ble Shri Justice D.H. Nasir, Vice-Chairman

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

O.A. 31/99

Date of decision:

JUDGEMENT

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

Heard Mr. S. Ramakrishna Rao for the Applicant and Mr. Vinod Kumar for the Respondents.

2. The Applicant was appointed EDBPM on provisional basis in place of the regular incumbent who was put off duty on 22nd February, 1996 and subsequently removed from service, a penalty against which he has appealed to the DPS and which remained undisposed till the issue of the impugned notification dated 23-11-1998 (Annexure - I to OA) inviting applications from eligible candidates for selection to the post of EDBMR, Chalki EDBO, under Nyalkal SO in Sangareddy Postal Division.

3. It is contended by the Applicant that the issuance of the impugned notification is in violation of the instructions issued by DG Posts vide No. 43-4-77 Pen dated 18th May, 1979.

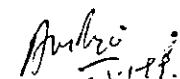
4. If what is stated by the Applicant is true, - viz., if the appeal submitted by the previous (regular) EDBPM has not been disposed of by the Appellate Authority - it is directed that no further action be taken in pursuance of the impugned notification. Subsequently, depending on the outcome of the appeal, stated at present to be undisposed of yet, the appointing authority is free to issue a fresh notification, if necessary, at an appropriate ^{and} juncture, to proceed to select a suitable candidate - including the Applicant, if he applies for the same - on merit. Until then the present arrangement shall continue.

5. Thus the OA is disposed of. No costs.


(H. Rajendra Prasad)
Member (A)

MD 21 JAN 99


(D.H. Nasir)
Vice-Chairman



92/99
1ST AND 2ND COURT

COPY TO:-

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2. HHRP M(A)
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IN 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 (B)

DATED: 21/1/99

ORDER/JUDGMENT

M.A./R.A./E.P.NO.

In

O.A. NO. 31/99

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

SRR

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