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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH

AT HYDERABAD

O.A.No.686/99

Date of Order:21.2.2000

BETWEEN:

1. Nandivada Satya Prasad
2. Sarva Ramakrishna
3. Venkayalapati Durga Rao
4. Mallikeshwarapu Venkata Siva
5. Kodali Vijaya Babu
6. Tanikonda Ruben
7. Kadagala Siva Krishna
8. Swayampakula Venkata Ramana
9. Rakapalli Amar Kumar
10. VELAPARLA Lingaiah ..Applicants.

AND

1. The Senior Supdt.of Post Officer.  
Dept. of Posts, Govt. of India,  
Vijayawada.
2. The Asst.Supdt. of Post Offices,  
Vijayawada North Sub Division,  
Vijayawada.
3. The Asst.Supdt. of Post Offices,  
Vijayawada South Sub Division,  
Vijayawada. ..Respondents.

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Counsel for the Applicants ..Mr.G.Vidya SAGAR

Counsel for the Respondents ..Mr.K.Narahari

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CORAM:

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

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

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O R D E R

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

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Mr.Sudheer for Mr.G.Vidya Sagar, learned  
counsel for the applicant and Mr.K.Narahari, learned  
standing counsel for the respondents.

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2. There are 10 applicants in this OA. They have filed this OA for a declaration that the action of the respondents in not giving preference to the applicants herein in the vacancies notified by the notification No.PF/EDSV/9, dated 10.3.99 and No.PF/EDPKR/21, dated 11.3.99 under the respondents 1 to 3 is illegal, arbitrary and for a consequential direction to the respondents to give preference to the applicant before considering the applications of the outsiders in the post of ED staff.

3. A reply has been filed in this OA. It is to be noted here that all the applicants are only substitutes and they were chosen by the regular ED Agents to work in leave vacancy of EDAs now and then but not on regular basis. Thus they have no local standi. The applicants might have worked in the leave vacancies of the ED Agents of Post Offices in Vijayawada City for some time.

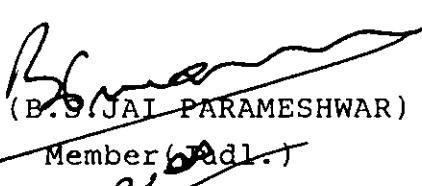
4. When this OA was taken up today, the learned counsel for the applicant <sup>was</sup> <sub>^</sub> asked to produce the order whereby at least any one of the applicant<sub>s</sub> is appointed as a provisional agent. The applicant produced an order which only states that the said applicant is only a substitute appointed by a regular candidate. The applicants could not produce any details of orders by which they were posted as a provisional ED

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Agents. The respondents are at liberty to preferably ~~not to regularise their service unless~~ they complete the 3 years of regular service to keep them in the ~~ED~~ thrown out list.

5. Hence, we find no merit in this OA. However the respondents themselves admit in their reply that all the 10 applicants are eligible to apply for the posts and nothing prevented them to apply. The rules for recruitment of ED Agents do not provide for preferential treatment to outsiders who worked in the leave vacancies of ED posts previously. Hence the applicants are advised to apply whenever the notification is issued. If the applicants have applied in earlier ~~their cases~~ <sup>not yet taken</sup> ~~they also~~ cases also should be considered if the applications are under consideration stage.

6. With the above observation, the OA is disposed of. No costs.

  
(B.S. JAI PARAMESHWAR)

Member (Adm.)

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(R. RANGARAJAN)

Member (Admn.)

Dated : 21st February, 2000

(Dictated in Open Court)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH : HYDERABAD.

1ST AND 2ND COURT

COPY TO:

1. HON. J.
2. HON. M. (ADMN.)
3. HON. M. (JUDL.)
4. D.R. A (ADMN.)
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 (JUDL.)

\* \* \*

DATE OF ORDER: 21/2/05

MA/RA/CP.NO.

IN  
DA. NO. 686/99

ADMITTED AND INTERIM DIRECTIONS  
ISSUED

ALLOWED

CP. CLOSED

RA. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO ORDER AS TO COSTS

2 copies

