

35

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA.No.704/99

Date of Order: 31-8-99

Between:

K.Srinivasa Reddy ..Applicant

and

1. The Postmaster General,
Hyderabad Region,
Hyderabad.
2. The Superintendent of Post Offices,
Peddapalli Division,
Peddapalli - 505 172.Respondents

Counsel for the Applicant - Mr.S.Ramakrishna Rao, Advocate

Counsel for the Respondents - Mr.V.Vinod Kumar, Addl.CCSC

CORAM:

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

...

Order

Heard Ms. Parvathi for Sri S.Ramakrishna Rao, learned counsel for the applicant and Sri V.Vinod Kumar, learned standing counsel for the Respondents.

2. The applicant is working as EO/BPM, Manikyapur on provisional basis.
3. The mother of the applicant was working as EO/BPM, Manikyapur Branch Office. She died in harness. The applicant had submitted an application for considering his case for appointment to that post on compassionate ground.
4. Earlier the respondents had approached the local Employment Exchange without considering the application of the applicant for appointment on compassionate ground. Then the applicant had approached the Tribunal in OA.870/98. In

31

....contd.2

.2.

the said OA the respondents made a submission that the P.M.G., Hyderabad had instructed the respondent no.2, not to take any action on the requisition placed on the Employment Exchange as the case of the applicant for appointment on compassionate ground was under consideration. Taking note of the submission, the OA was disposed of on 22.7.98

5. The case of the applicant was considered for appointment on compassionate ground by the Circle Selection Committee and his case was not recommended. The decision of the Selection Committee was communicated to the applicant by letter dated 15.4.99 (Annexure 2, page-15 to OA).

6. Thereafter, on 16-4-99 the respondent no.2 issued a notification inviting applications from eligible SC candidates to fill up that post on regular basis.

7. The applicant has filed this OA challenging the decision of the selection committee (communicated to him by Annexure A-2, letter dt.20-4-99) and the impugned notification dt.16-4-99 reserving the post for SC Community candidate.

8. The respondents have filed a reply that the Circle Selection Committee had not recommended the case of the applicant for appointment as compassionate ground that the applicant was holding the post of ED/BPM Manikyapur on provisional basis, that the impugned notification has been issued to fill up the post on regular basis.

9. The applicant has been working as ED/BPM Manikyapur on provisional basis. He cannot challenge the notification dt.16.4.99 as the respondent authorities are bound to fill-up the post by a regular candidate.

10. If the applicant has any grievance regarding rejection of his claim for appointment on "compaccsioate ground on the death of his mother. He has to take such remedial action as is permissible under law.



..contd..3

.3.

11. In view of the above, the following directions are given:-

- (a) The respondent authorities shall select a suitable and meritorious candidate for the post of ED/BPM, Manikyapur from among the candidates who responded to the notification dt.16.4.99.
- (b) In case the applicant is aggrieved by the rejection of his claim for appointment on compassionate grounds (as communicated to him by letter dt.15.4.99) is at liberty to take such action as is permissible under law.
- (c) Time for compliance is 4 months from the date of receipt of a copy of this order.

12. With the above directions the OA is disposed of.
No order as to costs.

B.S.JAI PARMESHWAR
 (B.S.JAI PARMESHWAR)
 Member (Judl.)
 31.8.99

Dated: 31st August, 1999

'SA' (order dictated in the open court) *Amrit*

~~1ST AND 2ND COURT~~

COPY TO :-

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

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

21/9/99

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. S. S. JAI PARAMESWAR :
MEMBER (JUDL)

* * *

DATE OF ORDER: 31/8/99

MA/R/CP.NO.

IN
OA. No. 704/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALL DIED

CP CLOSED

RA CLOSED

OA CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

