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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

ORIGINAL APPLICATION NO. 854/99

DATE OF ORDER : 31.3.2000

Between :-

A. Venkataramanaiah

..Applicant

And

1. Union of India, rep. by  
The Chief Postmaster General,  
AP Circle, Daksadan, Abids,  
Hyderabad.
2. The Postmaster General,  
AP Southern Region,  
Kurnool.
3. The Superintendent, RMS,  
AG Division, Guntakal.
4. The Sub Record Office.,  
RMS, A.G.Division,  
Anantapur.

...Respondents

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Counsel for the Applicant : Shri Krishna Devan

Counsel for the Respondents : Ms. Shyama, Addl. CGSC

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CORAM:

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

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

(Order per Hon'ble Shri R.Rangarajan, Member (A) ).



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... 2.

(Order per Hon'ble Shri R.Rangarajan, Member (A) ).

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Heard Sri Krishna Devan, learned counsel for the applicant and Mrs.D.Rukmini for Ms.Shyama, learned Standing Counsel for the Respondents.

2. The applicant in this OA submits that he is working as EDMM (Substitute) in the Office of SRO, RMS, AG Division, Anantapur with effect from 15-8-1988 onwards without any complaint whatsoever. He also submits that he had worked for 240 days from 1988 onwards.

3. Earlier OA 1269/95 and OA 1551/95 filed on the file of this Bench praying for a direction to be issued to SRM, RMS, AG Division to appoint him as EDMM by declaring that his action in calling for fresh list of names from the Employment Exchange is ~~in~~ <sup>in</sup> regular.

4. That OA was disposed of by order dated 22.8.1996 (Annexure-9 page-20 to the OA). The relevant portion reads as follows :-

Under the circumstances we direct, SRM, RMS, AG Division, to cause verification of the applicants to determine whether they worked for 240 days in a year, as outsider casual labourers, during the period from 1-4-1985 and proceed to take further action, on that basis, to select such of the applicants who fulfil all the relevant conditions and appoint them as EDMM. This exercise may be completed within forty five days of the receipt of a copy of those orders by SRM, RMS, AG Division.

5. Thereafter the applicant also filed OA 758/96 which was disposed of on 27.8.1996 directing the respondents to follow the directions given in the earlier OA 1551/95 and OA 1269/95 in the case of the applicants in OA 758/96.

6. In pursuance of that direction Respondent No.3 has verified the records and came to the conclusion that the applicant has not





worked for 240 days in any of the years starting from 1-4-1985 onwards and that was intimated to him by order dated 18.10.1996 (Annexure- 7 page-18 to the OA). He was also informed by that letter that he was not eligible for appointment ad EDA.

7. Aggrieved by the above, he has filed this OA to set aside the impugned order dated 18.10.1996 and for a consequential direction to the respondents to keep his name in the panel for appointing him as EDMM, SRO, AG division by setting aside the notification issued to fill up that post (Annexure-1 page-8 to the OA). The applicant has submitted a representation addressed to Respondent No.3 dated 12.11.1996 (Annexure-6 page-15 to the OA for continuing him and to appoint him as EDMM in the said post office RMS, AG Division. It is stated that no reply has been given to him. The applicant submits that he had worked in a year for 240 days starting from January to December for which he relied on Annexure-3 (page-4 to the OA) which indicates his days of working in the year 1989 from January to December, 1989. He further submits that the number of days worked by him should be counted from January, 1989 and not from April, 1989. That is the above direction of the Tribunal in the earlier OAs.

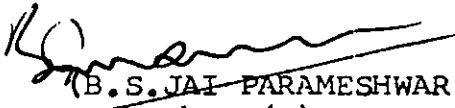
8. However, we find that the above submission to count the period from January, 1989 is not the direction of the Tribunal as can be seen from the extracted portion here above.

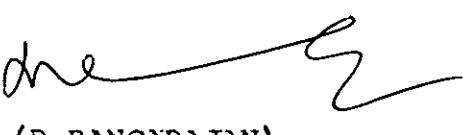
9. In view of the above, the only direction that can be given in this OA is to dispose of the representation dated 12.11.96 by the Director of Postal Services, A.P. (Souther Region), Kurnool, within a period of 3 months from the date of receipt of a copy of this order.

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10. Before issuing reply, the applicant should be called and his case should be heard in person by the said official. Till such time the above representation is disposed of, the status-quo order as per the interim order dated 6-7-1999 and 7-7-1999 should be continued.

11. The Original Application is ordered accordingly. No order as to costs.

  
(B.S. JAI PARAMESHWAR)  
Member (J)  
31.3.00

  
(R. RANGARAJAN)  
Member (A)

Dated: 31st March, 2000.  
Dictated in Open Court.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH,  
HYDERABAD.

1ST AND 2ND COURT

TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

COPY TO

1. HDHNC THE HON'BLE MR. JUSTICE D.H. NASIR  
VICE-CHAIRMAN

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

3. HBSJP. M. ( JUDL )

4. D.R. ( ADMN ) THE HON'BLE MR. B.S. JAI PARANESHWAR  
MEMBER ( JUDL )

5. SPARE

6. ADVOCATE

7. STANDING COUNSEL

DATE OF ORDER 31/3/00

CA/RM/CD/NO

IN.

C.A. NO. 854 (99)

ADMITTED AND INTERIM DIRECTIONS  
ISSUED

ALLOWED

C.P. CLOSED

IRDA. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO ORDER AS TO COSTS

