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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ; HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO. 88/99

DATE OF ORDER : 10-2-2000

Between :-

K.Deva Rao

...Applicant

And

1. The Sr. Superintendent of Post Offices,
Nizamabad Division, Nizamabad.
2. Asst. Supdt. of Post Offices,
Nizamabad North Sub-division,
Nizamabad.

...Respondents

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Counsel for the Applicant : Shri S.Ramakrishna Rao

Counsel for the Respondents : Shri B.N.Sarma, Sr.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.

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

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Heard Ms.Parvathi for Sri S.Ramakrishna Rao, learned counsel for the applicant and Sri M.C.Jacob for Sri B.N.Sharma, learned senior standing counsel for the Respondents.

2. This OA is filed to set aside the impugned notification No.B2/Kondur/98 dated 5-1-1999 of Ist Respondent calling for the applications for filling the post of ED/BPM, Kondur BO, on regular basis on the fictitious grounds that the applicant had submitted resignation to the IIInd Respondent two years ago purported to be a resignation on a blank signed paper, when the applicant is working in the post and when the post had not fallen vacant, declaring the same as arbitrary, illegal, un-warranted, frvolous and in violation of Articles 14 & 16 of the Constitution of India and to declare null and void the purported resignation if any obtained two years ago by the IIInd Respondent as it was not accepted till today duly allowing the applicant to continue as ED/BPM Kondur till his retirement i.e. till completion of 65 years of age, having put in 39 years of regular service in the post with all consequential benefits.

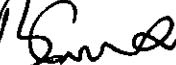
3. When this OA was taken up for hearing, the learned counsel for the respondents produced letter No.ST/LC-7/99 dated 15.7.1999 which is taken on record, wherein it is stated that the applicant has withdrawn his resignation and the same was allowed by the SSPOS Nizamabad. Since the applicant is now continued as EDBPM Ch.Kondur BO, the OA filed by the applicant becomes infructuous and the notification stands cancelled.

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4. In view of the above, the O.A. has become infructuous and accordingly it is dismissed as having become infructuous. No order as to costs.



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

10.2.2000



(R. RANGARAJAN)
Member (A)

Dated: 10th February, 2000.
Dictated in Open Court.

(R.R.)
2000

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH : HYDERABAD.

1ST AND 2ND COURT

COPY TO:

1. H.D.H.N.D.
2. H.R.R.N.M. (ADMN.)
3. H.B.S.J.P.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: 16/02/2000

MR./RA/CP. NO.

IN

DA. NO. 88/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

OP. CLOSED

RA. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO ORDER AS TO COSTS

6 (contd)

Central Administrative Tribunal
मध्यसंसदीय प्रशासनिक विधिकरण
COUNCIL / DESPATCH

18 FEB 2000

Hyderabad Bench
HYDERABAD BENCH