

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.1269/99

DATE OF ORDER : 7-10-1999.

Between :-

M.V.Tajbabu

...Applicant

And

1. The Superintendent of Post Offices,
Tenali Division, Tenali-522 201.
2. The Postmaster General,
Vijayawada Region, Vijayawada-500002.
3. K.Pamulu

... Respondents

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Counsel for the Applicant : Shri S.Ramakrishna Rao

Counsel for the Respondents : Shri B.N.Sharma, 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 Sri S.Ramakrishna Rao, counsel for the applicant and Sri M.C.Jacob for Sri Sharma, Standing Counsel for the Respondents. Notice served on Respondent No.3 but called absent.

2. The applicant in this OA challenges the provisional appointment of respondent No.3 as ED/BPM, Yeletipalem, Nagaram Mandalam, Guntur District. The applicant submits that Respondent No.3 is less meritorious as he ~~had~~ passed SSC examination compartmentally. For this contention he relies on the letter of Postal Department bearing No.19-9/95-ED & TRG dated 8-3-1995, dated 8-3-1995 (Annexure A-I page-8 to the OA). We have perused the said letter. That letter is for selecting regular ED staff. The appointment of Respondent No.3 is on provisional basis. If that strict rule is to be followed even ~~if~~ for provisional appointments, the Postal Department will be put to a hardship and that will lead ^{to} unnecessary complaints from the public. The provisional appointment will be made in order to meet the service exigencies due to non availability of regular staff. In that context the available person, who in the opinion of the respondents fulfills the required conditions to a considerable extent, that candidate is posted. Such posting cannot be challenged. The applicant is not going to get any benefit by challenging the appointment of Respondent No.3 as the Respondent No.3 is to be

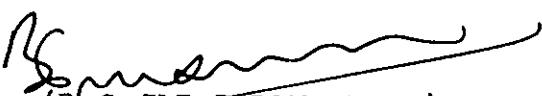




- 3 -

replaced when a regular candidate is selected and posted. In that view we feel that there is no need to interfere with the posting orders of Respondent No.3. The only direction that can be issued to the Respondents is that the post should be filled up on regular basis as expeditiously as possible.

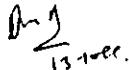
3. O.A. Dismissed accordingly. No costs.


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


(R. RANGARAJAN)
Member (A)

Dated: 7th October, 1999.
Dictated in Open Court.

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13/10/99.

1ST AND 2ND COURT

29/10/99

COPY TO :-

1. HODNO
2. HARM M (A)
3. PSSDP M (3)
4. D.R. (A)
5. SPARE ✓
6. ADVOCATE
7. STANDING COUNSEL

TYPED BY ✓ CHECKED BY ✓
COMPARED BY ✓ APPROVED BY ✓

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

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

THE HON'BLE MR. R. RANGARAJAN
MEMBER (ADMIN.)

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

* * *

DATE OF ORDER: 7/10/99

MAILED/DP. NO.

IN
RA. NO. 1269/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

OP. CLOSED

RA. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED / REJECTED

NO ORDER AS TO COSTS

