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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH  
AT HYDERABAD

OA.1275/99

dt.21-8-2000

Between

G. C harles

: Applicant

and

1. Supdt.of Post offices  
Guntur Divn., Guntur-522007

2. Postmaster General  
Vijayawada Region,  
Vijayawada 520002

3. Union of India, rep. by  
The Director General  
Dept. of Posts, Rak Bhavan  
New Delhi 110001

4. K. Purushothama Rao  
Extra Deptl. Delivery Agent  
Kothapeta, Guntur SO 522001

5. V. Rangarao  
EDMC/DA, Gorlavaripalem BO  
a/w Ponnekallu SO, Guntur  
Divn. AP 522018

: Respondents

Counsel for the applicant

: T VVS Murthy  
Advocate

Counsel for the respondents

: Akther Ahmed Jabri  
CGSC

Coram

Hon. Mr. Justice D.H. Nasir, Vice Chairman

Hon. Mr. R. Rangarajan, Member (Admn.)

✓

Order

Oral order (per Hon. Mr. R. Rangarajan, Member (Admn))

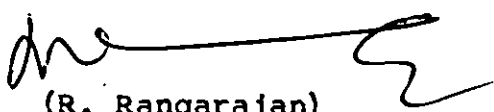
Heard Mr. T.V.V.S.Murthy for the applicant and Mr. A.A. Jabri for the respondents. Notices served on Respondent No.4 and 5. Called absent.


2. The applicant in this OA is an ED Agent having less than middle class standard qualification. When two vacancies arose in the category, <sup>1</sup> his juniors were promoted. One of his Juniors Mr. Purushothama Rao was promoted against OBC Category against OBC Quota and Mr. V. Ranga Rao, R-5 was also likely to be promoted in case Respondent No.4 refused promotion.

3. This OA is filed to call for relevant records relating to the issue of impugned order No.B.III/4/99 dated 19-3-1999 and No.B.II/4/99 dated 13-8-99 whereby his promotion to Group-D on seniority was rejected as he did not possess educational qualification of 8th standard and for a consequential direction to promote him to Group-D category.

4. Rules are very clear in regard to <sup>promotion to</sup> Group D that ED Agents should possess 8th standard qualification. The applicant did not possess that qualification. The qualification prescribed on the date of arising of the vacancy has to be adhered to. Even if the applicant had joined when the qualification prescribed is 5th standard the applicant cannot ask for promotion on that ground and consider against the vacancy for which 8th standard is prescribed. The applicant is eligible for categories 2 and 3 and his case should be considered for those posts in accordance with law.

5. In view of the above the OA is disposed of. No costs.

  
(R. Rangarajan)  
Member (Admn.)

  
(D.H. Nasir)  
Vice Chairman

Dated : 21 Aug., 2000  
Dictated in Open Court

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH: HYDERABAD

COPY TO

1. HDHNU
2. HRRM (ADMN.) MEMBER
3. HBSJP (JUDL.) MEMBER
4. D.R. (ADMN.)
5. SPARE
6. ADVOCATE
7. STANDING COUNSEL

1ST AND 2ND COURT

TYPED BY                      CHECKED BY  
COMPARED 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 PARAMESHWAR  
MEMBER (JUDL.)

DATE OF ORDER 21/8/2000

MA/RA/CP.No.

IN  
OA.No. 1275/99

ADMITTED AND INTERIM DIRECTIONS  
ISSUED

ALLOWED

C.P. CLOSED

R.A. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO ORDER AS TO COSTS

केन्द्रीय प्रशासनिक न्यायाधिकरण  
Central Administrative Tribunal  
प्रेषण / DESPATCH

28 AUG 2000

हैदराबाद न्यायपीठ  
HYDERABAD BENCH