

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD  
\*\*\*

O.A.470/99.

Dt.of Decision : 15-07-99.

Mekala Ramalingaiah

..Applicant.

Vs

The Senior Superintendent of Post Offices,  
Nalgonda Division, Nalgonda.

..Respondent.

Counsel for the applicant

: Mr.S.Ramakrishna Rao

Counsel for the respondent

: Mr.D.Phalguna Rao, Addl.CGSC.

CORAM:-

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

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



..2/-



ORDER

ORAL ORDER(PER HON'BLE SHRI R.RANGARAJAN ; MEMBER (ADMN.))

Heard Mr.S.Ramakrishna Rao, learned counsel for the applicant and Mr.P.Phalguna Rao, learned counsel for the respondents.

2. The applicant is a provisional EDBPM, Panagal appointed on 25-12-95. A notification was issued for filling up of that post regularly by notification dated 23-2-99 (Annexure-I). The applicant submits that he had completed 3 years as a provisional EDBPM and hence he has to be posted in view of the DG P&T Letter No.43-4/77/Pen. dated 18-05-79.

3. This OA is filed to set aside the impugned notification dated 23-2-99 without taking decision pursuant to the notification dated 25-6-98 and without considering the case of the applicant for regularisation as contemplated under DG (P&T)'s letter No.43-4/77/Pen. dated 18-05-79 and to direct the respondent to regularise the services of the applicant as EDBPM, Panagal having completed more than 3 years of service.

4. An interim order was passed in this OA on 26-03-99 to maintain status-quo until further orders.

5. When the OA was taken up for admission hearing to-day the learned counsel for the applicant brought to our notice ~~in~~ para-5 of the reply. This para-5 ~~xxxxxxxxxxx~~ is reproduced below:-

"In reply to para-5, it is submitted that as per the Directorate instructions, any provisionally appointed candidate completes three years of service, he will have to be placed in waiting list and offered alternate appointment. Accordingly, the applicant of this OA will be offered an alternate EDA post."

R




6. In addition to para-5 the applicant also brought to our notice in para-8 of the reply. This para reproduced below:-

"In view of the above submissions, it is prayed that the Hon'ble Tribunal may be pleased to vacate the interim order and allow the respondent to finalise the selection to the post of EDBPM on regular basis in response to the notification dated 23-2-99 to which the applicant is also one of the candidate. It is further submitted that if the applicant is not selected in response to the notification dated 23-2-99, his name will be kept in the waiting list of thrown out EDAs and will be offered alternative suitable post of EDA in the future vacancies."

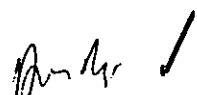
7. It has been clearly stated in both the paragraphs that the applicant has applied for the EDA post in response to the notification dated 23-2-99 he should be considered along with others. If he <sup>is</sup> ~~has~~ selected in response to the notification dated 23-2-99 he should be posted. In case he is not selected his name <sup>shall</sup> ~~will~~ be kept in the waiting list of thrown out EDAs and will be offered alternative suitable post of EDA in the future vacancies. The learned counsel for the applicant submits that he is satisfied with the above decision of the department. No further consideration is required in this OA. However, we ~~in~~ <sup>emphasise</sup> that the respondents should act diligently in accordance with the submission made above so that the applicant may not complaint once again in this connection.

8. The OA is disposed of noting the above observation.  
No costs.

  
(B.S. JAI PARAMESHWAR)  
MEMBER (JUDL.)  
15.2.99

  
(R. RANGARAJAN)  
MEMBER (ADMN.)

Dated : The 15th July, 1999.  
(Dictated in the Open Court)

  
20/7/99

COPY TO:-

- 1. HDHND
- 2. HHS P M (A)
- 3. HBSP M (J)
- 4. D.R. (A)
- 5. SPARE

1st AND 11nd COURT.

TYPED BY  
PREPARED BY

CHECKED BY  
APPROVED BY

*[Handwritten signature]*  
9/8/99

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH, HYDERABAD.

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

THE HON'BLE MR. H. RAJENDRA PRASAD  
MEMBER ( ADMN )

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

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

ORDER: Date. 15.7.99

ORDER / JUDGMENT

MA./RA./CP.NO

IN

CA.NO. 470/99

ADMITTED AND INTERIM DIRECTIONS  
ISSUED..

ALLOWED.

~~C.A. CLOSED~~

~~R.A. CLOSED.~~

~~D.A. CLOSED~~

DISPOSED OF WITH DIRECTIONS

~~DISMISSED~~

~~DISMISSED AS WITHDRAWN~~

~~ORDERED / REJECTED~~

~~NO ORDER AS TO COSTS.~~

(5 copies)

केन्द्रीय प्रशासनिक अपिचकेरण  
Central Administrative Tribunal  
प्रेषण / DESPATCH  
- 5 AUG 1999  
हैदराबाद न्यायपीठ  
HYDERABAD BENCH