

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
HYDERABAD

O.A.No.505 of 1999.

DATE OF ORDER:25-1-2000.

Between:

K.V.V.Ramana Murthy.

...Applicant

a n d

1. Superintendent of Post Offices,
Rajahmundry Division, Rajahmundry,
East Godavari District-533 101.

2. Chief Post Master General,
AP Circle, Hyderabad-500 001. ...Respondents

COUNSEL FOR THE APPLICANT :: Mr.N.Saida Rao

COUNSEL FOR THE RESPONDENTS :: Ms.Shyama

CORAM:

THE HON'BLE SRI JUSTICE D.H.NASIR, VICE CHAIRMAN

THE HON'BLE SRI S.MANICKA VASAGAM, MEMBER (ADMN.)

: O R D E R :

(PER HON'BLE SRI JUSTICE D.H.NASIR, VICE CHAIRMAN)

Heard the learned Counsel Mr.N.Saida Rao for the
Applicant and the learned Standing Counsel Ms.Shyama
for the Respondents.

2. The applicant was appointed as EDBPM, Nalluru Branch Office on provisional basis on 24-1-1995. According to him he is entitled for regularisation of his services in the same post in accordance with the rules and regulations as the applicant has already completed more than four(4) years of service as EDBPM on provisional basis. However, as submitted by the learned Counsel for the Applicant, the respondents without considering long service of the applicant, decided to ~~select~~ new persons to the post of EDBPM, in which the applicant was continuing. A notification bearing Memo.No.BE/Nalluru/98, dated 5-3-1999 has been issued for the purpose of making fresh appointment. It is not disputed that the vacancy had arisen due to the disciplinary action taken against one Sri L.Rama Rao, EDBPM and that during his suspension the applicant was appointed on provisional basis.

3. The main plank of the argument advanced by the learned Counsel for the Applicant is to the effect that, candidate in whose vacancy the applicant was appointed, has been facing departmental enquiry and at the stage when the present OA was filed, his appeal before the Appellate Authority was till pending. Under these circumstances, according to the learned Counsel Mr.Saida Rao, it was not legal and proper for the respondents to take any steps for appointment of EDBPM on regular basis till the appeal was finally disposed of. The learned Standing Counsel Ms.Shyama, makes the

(P)

-3-

statement before us that the appointment of the applicant on provisional basis shall not be disturbed so long as the appeal filed by the delinquent Mr.L.Rama-Rao is not made finally disposed of. The learned Counsel Mr.Saida Rao for the Applicant has no objection if the present OA is disposed of with such a direction.

4. Hence, this OA is disposed of with a direction to the Respondent No.1 not to make any fresh appointment on regular basis till the appeal filed by the delinquent Mr.L.Rama Rao is disposed of.

5. The OA is disposed of accordingly; however, with no order as to costs.

S. Manicka Vasagam
(S.MANICKA VASAGAM)
MEMBER (ADMN.)

D.H.NASIR
(D.H.NASIR)
VICE CHAIRMAN

DATED: this the 25th day of January, 2000

Dictated in the Open Court

DSN

Am 2
DSN

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH : HYDERABAD

1ST AND 2ND COURT

COPY TO:

1. H.D.H.N.
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. RANGANATHAN
MEMBER (ADMN.)

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

* * *

DATE OF ORDER: 25/1/2000

MA/RAY/DP.NO.

IN
O.A. NO. 505/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

CP CLOSED

BA CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO ORDER AS TO COSTS

2 copies

नियमित प्रशासनिक अधिकारण Central Administrative Tribunal बैचार्क / DESPATCH
- 2 FEB 2000
हैदराबाद न्यायालय HYDERABAD BENCH