

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

OA/21/637/2019

Dated: 19/07/2019

Between

CH. Lakshmana Rao,
S/o. CH. Narasimha Murthy,
Aged 44 years, Occ: Postal Assistant,
Hyderabad GPO,
Hyderabad ó 500 001.

... Applicant

AND

1. Union of India rep. by
the Chief Postmaster General,
Telangana Circle,
Hyderabad ó 500 001.
2. The Postmaster General,
Hyderabad Hqrs. Region,
Hyderabad ó 500 001.
3. The Chief Post Master,
Hyderabad GPO,
Hyderabad ó 500 001.
4. The Post Master General,
Hyderabad Region,
Hyderabad ó 500 001 T.s.
5. The SPOs,
Khammam Division,
Khammam ó 507 001 TS.

... Respondents

Counsel for the Applicant	: Mr. B. Gurudas
Counsel for the Respondents	: Mrs. K. Rajitha, Sr. CGSC

CORAM :

Hon'ble Mr. A.K. Patnaik, Judl. Member

Hon'ble Mr. B.V. Sudhakar, Admn. Member

ORAL ORDER

[A.K. Patnaik, Judl. Member]

Heard Sri B. Gurudas, learned counsel for the applicant and Smt. K. Rajitha, learned Senior Standing Counsel appearing for the respondents, in extensor.

2. This O.A. has been filed u/Section 19 of the Administrative Tribunals Act 1985, with the following prayers:

õto call for the records pertaining to the promotion of the applicant to LSG vide Memo No.B1-2/LSG/ Promotions/ 2018 dated 23.8.2018 (Annex.I) and declare the delay in relieving the applicant as illegal, arbitrary, against rules and in violation of the Articles 14 & 21 of the Constitution of India with consequential direction to the respondents to relieve the applicant immediately to join the new place of posting with service with service, seniority and consequential benefits.õ

3. At the outset, Sri B. Gurudas, learned counsel for the applicant submitted that the applicant on completion of prescribed period of service and after satisfying the prescribed conditions was selected and promoted to the cadre of Lower Selection Grade- for short LSG, in connection with cadre restructuring and allotted to the Khammam Postal Division. The applicant after withdrawing his earlier declining letter requested the respondent authorities to post him as Sub Postmaster Ashwaraopet SO. On account of

delay in relieving him to join the new place of posting the applicant is put to loss in the seniority and consequential benefits. Hence, this O.A.

4. With the aid and assistance of the learned counsel for the applicant, we came across the representation dated 6.10.2018 under Annex.A-V and representation dated 18.3.2019 under Annex.A-VI, addressed to the Respondents No.3 & 4 respectively in which the applicant has prayed for reconsideration of his case for promotion to the cadre of LSG (Postal). As both the representations are stated to have been pending, therefore, without awaiting any reply and rejoinder, we think it appropriate to dispose of the O.A., by directing the Respondents No.3 & 4 that if any such representations have been preferred and are still pending consideration before them, then the same may be considered keeping mind the rules and regulations governing the field and communicate the result thereof by way of a well reasoned order within four weeks from the date of receipt of a copy of this order. After such consideration, if the applicant's grievance is found to be genuine, then expeditious steps may be taken to relieve the applicant so that he can join his new place of posting with service, seniority and other consequential benefits.

5. However, we made it clear that we have not expressed any opinion on the merit of the case and all the points raised in the representations as stated above, are kept open for the respondents to consider the same as per the rules governing the field.

6. With the aforesaid observation/ direction, this O.A. stands disposed of.

7. As prayed for by the learned counsel for the applicant, a copy of this order along with the paper book with all its annexures be sent to Respondents No.3 & 4 by speed post within two days, for which the applicant's counsel undertakes to pay the costs.

8. There shall be no order as to costs.

(B.V. SUDHAKAR)
ADMN. MEMBER

(A.K. PATNAIK)
JUDL. MEMBER

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