

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.35800 of 2015

ORDER: (Per Hon'ble Sri Justice Sanjay Kumar)

The petitioner is the applicant in O.A.No.304 of 2015 on the file of the Central Administrative Tribunal, Hyderabad Bench. By order dated 24.09.2015, the Tribunal dismissed the said O.A.

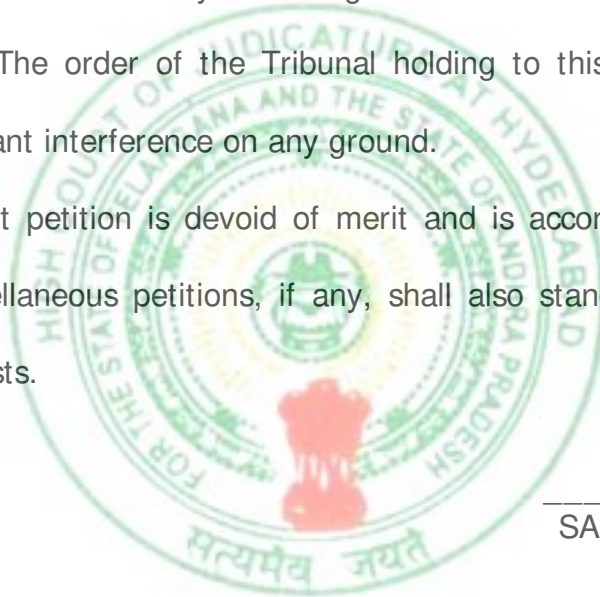
The petitioner/applicant challenged the proceedings dated 10.02.2015 issued by the Senior Superintendent of Post Offices, Bhimavaram Division, terminating his services as a Postman at Sivaraopet SO with immediate effect and requiring him to join back at Polamuru SO as a Grameen Dak Sevak Mail Deliverer.

Perusal of the order under challenge and the material on record reflects that when the petitioner/applicant was issued a notice on 14.05.2012 calling upon him to show cause as to why his name should not be deleted from the select list of postmen and his candidature should not be cancelled, he filed O.A.No.599 of 2012 before the Tribunal challenging the said notice. During the pendency of the said O.A., the authorities issued final order dated 01.06.2012 holding against the petitioner/applicant and deleting his name from the select list of postmen. Thereupon, by amending his prayer in the O.A., the petitioner/applicant challenged the final order dated 01.06.2012 before the Tribunal. However, the Tribunal dismissed the said O.A. by order dated 22.09.2014. Aggrieved thereby, the petitioner/applicant filed W.P.No.3973 of 2015 before this Court. Observing that the petitioner/applicant had never questioned the decision of the Review DPC or the exercise of revaluation of answer sheets before the Tribunal, a Division Bench of this Court

dismissed the said writ petition by order dated 23.02.2015. This order has admittedly attained finality.

In the light of the aforestated sequence of events, we are in agreement with the Tribunal that the order dated 10.02.2015 is only a consequential procedural step to give effect to the final order dated 01.06.2012 and does not constitute a fresh cause of action. As the petitioner/applicant had already failed in his challenge to the final order dated 01.06.2012, we cannot, at this stage, go into the merits underlying the said final order. We find no procedural irregularity in the proceedings dated 10.02.2015 which only seek to give effect to the final order dated 01.06.2012. The order of the Tribunal holding to this effect therefore does not warrant interference on any ground.

The writ petition is devoid of merit and is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.



SANJAY KUMAR, J

M. SEETHARAMA MURTI, J

27th September, 2016
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