

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

W.P.No. 28705 OF 2017

DATED 28TH AUGUST, 2017

Between:

Union of India,
Rep. by its Secretary to Government of India,
Ministry of Communications and I.T.,
Department of Posts – India,
Dak Bhavan, Sansad Marg,
New Delhi – 110001, and others

... Petitioners

AND

S.Sivasharanappa

... Respondent

Counsel for the petitioners : Sri B.Narayana Reddy

Counsel for the respondent : --

THE COURT MADE THE FOLLOWING

ORDER: (*per Hon'ble Sri Justice C.V.Nagarjuna Reddy*)

This Writ Petition is filed questioning order dated 01-06-2016 in O.A.No. 021/117 of 2015 on the file of the Central Administrative Tribunal, Hyderabad Bench, Hyderabad (for short, 'the Tribunal').

2. The issue that was decided by the Tribunal with respect to which this Writ Petition is filed is whether the appointment of the respondent as Postal Assistant through Limited Departmental Competitive Examination can be treated as a financial up-gradation. The Tribunal following a catena of judgments answered the said question in the negative and in favour of the respondent herein. Learned counsel for the petitioners has fairly admitted that W.P.No. 3420 of 2017 filed raising similar issue was dismissed by this Court on 04-08-2017.

3. For the reasons mentioned in the order dated 04-08-2017 in W.P.No. 3420 of 2017, this Writ Petition is also dismissed.

4. As a sequel to dismissal of the Writ Petition, W.P.M.P.No. 35705 of 2017 shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J.

GUDISEVA SHYAM PRASAD, J.

Date: 28-08-2017.
JSK