

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

DATED THIS THE THIRTIETH DAY OF JANUARY, 1987

Present: Hon'ble Shri Ch.Ramakrishna Rao Member(J)

Hon'ble Shri L.H.A.Rao Member(A)

APPLICATION NO 1598 (P) & (A) 86 (F)

1. S.Manikkam Chatty,
S.S.A., N.S.T.L.,
Vishakapatnam(AP).
2. Adinarayan Rao,
S.S.A., N.S.T.L.,
Vishakapatnam(AP).
3. K.Danial Prasad,
S.S.A., N.S.T.L.,
Vishakapatnam(AP).
4. Y.L.Somayajulu,
S.S.A., N.S.T.L.,
Vishakapatnam(AP).
5. G.Subash Babu,
S.S.A., N.S.T.L.,
Vishakapatnam(AP).
6. B.J.Raghunath,
S.S.A., G.T.R.E.,
P.B.No.7577,
Bangalore - 75.
7. A.N.Vijayashankar,
S.S.A., G.T.R.E.,
P.B.No.7577,
Bangalore - 75. **Applicants.**

(Shri Ranganatha Joshi ... Advocate)

VS.

1. The Union of India, represented by its Secretary, M/s Defence, Sona Bhavan, New Delhi.
2. The Scientific Adviser to Raksha Manthri, and Director-General Research and Development, South Block, Ministry of Defence, New Delhi - 11.
3. The Director, Recruitment Assessment Centre, 225-A, B-Wing, Sona Bhavan, Ministry of Defence, New Delhi - 11.
4. The Director, G.T.R.E., P.B.No. 7577, Bangalore - 75.
5. The Director, NS.T.L., Vishakapatnam, A.P. **Respondents.**

(Shri M.Vasudeva Rao ... Advocate)

These applications came up before us today. Hon'ble
Shri L.H.A. Rego, Member(AM) made the following :

O R D E R

Shri Ranganath Joshi, Counsel for the applicants and
Shri M.Vasudeva Rao, Counsel for the Respondents present.

2. It has been prayed in these applications that SRO
No.159/83 dated 6.5.1983 (Annexure C) stipulating age restric-
tion for in-service candidates, for selection to the post of
Scientist 'B', be quashed being arbitrary, discriminatory and
 violative of Articles 14 and 16(1) of the Constitution. It
is further prayed that respondents be directed to consider
the claim of the applicants and others similarly situated like
them, to upgrade the posts held by them to that of Scientist 'B'.

3. Counsel for the applicants submits that the applications
before us are alike in facts and circumstances and the question
of law involved, to Application No.5/85(T), which was disposed
of by us earlier on 30.9.1986 and prays that a similar order as
passed in that Application, be passed in these applications as
well. The order passed by us in Application No. 5/85(T) reads
as under,

"The grievance of the applicants is not altogether
devoid of substance. We, therefore, direct the
respondents to examine the points raised by the
applicants in their application/W.R. within two
months from the receipt of this order passed by
us. The applicants are at liberty to move this
Bench again if they are aggrieved by the action/
decision of the respondents. The application is
disposed of accordingly".

4. We have ascertained that the Applications before us are analogous in point of law and facts, to Application No.5/85(T) disposed of by us earlier. We therefore direct that the Order passed by us in Application No.5/85(T) will also apply to these applications before us mutatis mutandis. These applications are disposed of accordingly.

Chandresh

MEMBER(J)

AM 30.1.87

MEMBER(AM)(R)

AN.