

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
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Commercial Complex(BDA),  
Indiranagar,  
Bangalore - 560 038

Dated : 12-1-88

APPLICATION NO 824 /88(F)

W.P. NO \_\_\_\_\_

Applicant

Respondents

Shri Rudrappa

V/s The Works Manager, Southern Rly, Mysore

To

1. Shri Rudrappa  
C/o Shri Ravivarma Kumar  
Advocate  
No. 11, Jeevan Building  
Kumara Park East  
Bangalore - 560 001
2. Shri Ravivarma Kumar  
Advocate  
11, Jeevan Building  
Kumara Park East  
Bangalore - 560 001

3. The Works Manager  
Southern Railway  
Mysore South  
Mysore
4. Shri K.V. Lakshmanachar  
Railway Advocate  
No. 4, 5th Block  
Briand Square Police Quarters  
Mysore Road  
Bangalore - 560 002

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAY~~/  
~~INTERIM ORDER~~ passed by this Tribunal in the above said  
application on 5-1-88.

*P.V. Umesh*  
DEPUTY REGISTRAR  
~~SECTION OFFICER~~  
(JUDICIAL)

Encl : as above

RECEIVED

Diary No. 1616/cr/88

Date: 12-1-88

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, BANGALORE

DATED THIS THE 5th DAY OF JANUARY, 1988

Present : Hon'ble Sri P.Srinivasan Member (A)

Hon'ble Sri Ch.Ramakrishna Rao Member (J)

APPLICATION No.824/B7

Rudrappa, C/o Ravivarma Kumar,  
No.11, Jeevan Building,  
Kumara Park East,  
Bangalore - 1. ... Applicant  
( Sri Ravivarma Kumar ... Advocate )

v.

The Works Manager,  
Southern Railway,  
Mysore South,  
Mysore. ... Respondent  
( Sri K.V.Lakshmanachar ... Advocate )

This application has come up before the Tribunal today. Hon'ble Sri Ch.Ramakrishna Rao, Member (J) made the following :

ORDER

This is an application filed u/s 19 of the Administrative Tribunals Act, 1985.

2. The facts giving rise to the application lie in a narrow compass. The applicant applied in 1983 for the post of Kalasi in the Central Workshop, Southern Railway, Mysore stating that he belonged to the Scheduled Tribe('ST') category of 'Nayaka' community. He was interviewed and his name was also placed in the select list of candidates falling under the ST Category. At the time of interview, he did not produce the caste certificate, which he has now filed (Annexure -A2) nor did he produce the transfer certificate (A4) from the school where he studied. In this certificate



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CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
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Commercial Complex(BDA)  
Indiranagar  
Bangalore - 560 038

Dated :

11 JUL 1989

CONTEMPT  
PETITION  
(CIVIL)

APPLICATION NO (S) 194 / 88  
IN APPLICATION NO. 824/87(F)  
W.P. NO (S) \_\_\_\_\_

Applicant (s)

Respondent (s)

Shri Rudrappa

V/s The Works Manager, Southern Railway, Mysore & anr

To

1. Shri Rudrappa  
Door No. F-1, Weavers' Colony  
Visveswaranagar  
Mysore South - 570 008
2. Shri L. Narayanaswamy  
Advocate  
No. 11, Jeevan Building  
Kumara Park East  
Bangalore - 560 001
3. The Works Manager  
Southern Railway  
Mysore South  
Mysore

4. The Deputy Chief Mechanical Engineer  
Southern Railway Workshop  
Mysore South  
Mysore
5. Shri K.V. Lakshmanachar  
Railway Advocate  
No. 4, 5th Block  
Briand Square Police Quarters  
Mysore Road  
Bangalore - 560 002

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of ORDER/~~STAY~~/~~INTERIM~~ ORDER  
passed by this Tribunal in the above said <sup>C.P. (Civil)</sup> application(s) on 7-7-89.

*[Signature]*  
DEPUTY REGISTRAR  
(JUDICIAL)

Rudrappe

V/s

The Works Manager, Southern Railway,  
Mysore & anr

L. Narayanaswamy

K.V. Lakshmanachar

Date

Office Notes

Orders of Tribunal

(KSP)VC/(LHAR)M(A)

JULY 7, 1989.

Petitioner by Shri L.Narayanaswamy. Respondents by Sri K.V.Lakshmanachar.

2. In this petition made under Section 17 of the Administrative Tribunals Act, 1985 and the Contempt of Courts Act, 1971, the petitioner has moved this Tribunal to punish the respondents for not implementing an order made in his favour on 5-1-1988 in A.No.824/87.

3. Shri Lakshmanachar files a memo annexing a copy of the order appointing the petitioner. Shri Narayanaswamy who has perused the memo and the order annexed to the memo, rightly does not dispute that the respondents had complied with the order made in favour of the ~~applicant~~ petitioner. If that is so, then these contempt proceedings are liable to be dropped. We, therefore, drop these contempt of court proceedings. But, in the circumstances of the case, we direct the parties to bear their own costs.



TRUE COPY

*[Signature]*  
DEPUTY REGISTRAR (JDL)  
CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

VICE-CHAIRMAN

MEMBER (A)

7-7-89

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, BANGALORE

DATED THIS THE 5th DAY OF JANUARY, 1988

Present : Hon'ble Sri P.Srinivasan Member (A)

Hon'ble Sri Ch.Ramakrishna Rao Member (J)

APPLICATION No.82A/B2

Rudrappa, C/o Ravivarma Kumar,  
No.11, Jeevan Building,  
Kumara Park East,  
Bangalore - 1. ... Applicant  
( Sri Ravivarma Kumar ... Advocate )

v.

The Works Manager,  
Southern Railway,  
Mysore South,  
Mysore. ... Respondent  
( Sri K.V.Lakshmanachar ... Advocate )

This application has come up before the Tribunal today. Hon'ble Sri Ch.Ramakrishna Rao, Member (J) made the following :

O R D E R

This is an application filed u/s 19 of the Administrative Tribunels Act, 1985.

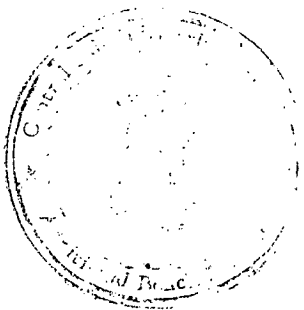
2. The facts giving rise to the application lie in a narrow compass. The applicant applied in 1983 for the post of Kalasi in the Central Workshop, Southern Railway, Mysore stating that he belonged to the Scheduled Tribe('ST') category of 'Nayaka' community. He was interviewed and his name was also placed in the select list of candidates falling under the ST Category. At the time of interview, he did not produce the caste certificate, which he has now filed (Annexure -A2) nor did he produce the transfer certificate (A4) from the school where he studied. In this certificate



the name of the community was spelt as 'Naika'. The applicant did not receive any appointment order based on the select list while others in the select list in ST category have received appointment orders. Aggrieved by this the applicant has filed this application.

3. Sri Ravi Varma Kumar, learned counsel for the applicant, strenuously contends that the caste certificate at A2 signed by the Deputy Revenue Officer, Mysore City Corporation, and the transfer certificate at A4 constitute sufficient proof of the fact that he belongs to ST category of Nayaka community. Sri K.V.Lakshmana Achar, learned counsel for the respondents, refutes this contention and reiterates the averments made in the reply of the respondents, <sup>more particularly to the averment</sup> that the certificates A2 and A4 to the application had not been produced at the time of the interview or subsequently and had they been produced the matter would have been verified.

4. We have considered the rival contentions carefully. The plea taken by the respondents that the certificates, on which reliance is placed by the applicant, have not been made available to them clearly shows that they had no occasion to examine the claim of the applicant that he belonged to ST. We, therefore, direct the applicant to produce the certificates relied upon by the applicant (Annexures A2 & A4, A5) and any other material that he may like to place before the respondents, within one month from the date of this order. The respondents shall consider the claim of the applicant and pass such orders as the facts justify within two months thereafter, in the light of



*CSJ*

Circular No.E(SCT) 74 CM15/46 dated 19.2.76 on the subject  
(page 26 of the brochure on reservations for SC/ST in Railway  
services)- 3 edition 1985).

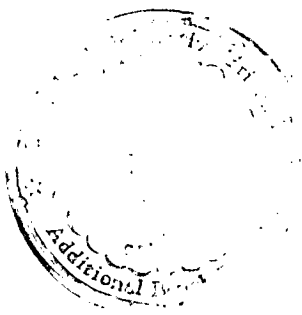
5. The application is disposed of on the above lines.  
Parties to bear their own costs.

Sd/-  
MEMBER (A) 1

Sd/-  
MEMBER (J) S.1.88

an.

- True Copy -



*P. V. Venkatesh*  
DEPUTY REGISTRAR  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE