

**In the Central Administrative  
Tribunal Bangalore Bench,  
Bangalore**

**ORDER SHEET**

Application No. 272 & 273 of 1989 (F)

Applicant

M.Shankar Rao & anr.

vs.

Respondent

Telecom Dist. Engineer, Mangalore & ors.

Advocate for Applicant

Dr. M.S.Nagaraja &  
Sh.I.A.Shariff.

Advocate for Respondent

Date	Office Notes	Orders of Tribunal
14-3-89	<p>In these applications filed u/s 19 of the Act, the applicant prays for the following reliefs:</p> <p>1) To quash the circular of the Director General, D/o Telecom, N.Delhi dt.4-7-87, &amp; communication dt.16-6-88 of the Director General, D/o Telecom, N.Delhi as illegal &amp; unjust.</p> <p>2) To direct the respondents to continue the applicants in the cadre of observation Supervisors.</p> <p><u>Interim Prayer:</u> To stay the operation of the circular dt.4-3-87 &amp; the letter dt. 16-6-88 and to continue the applicants in the cadre of observation supervisors.</p> <p>As directed by the Deputy Registrar, the applications are registered and are being placed before the Bench on 15-3-89 for Preliminary hearing and Admission.</p> <p>I&amp;P.O. is removed.</p>	<p>(KSP)VC/(LHAR)M(A)</p> <p>MARCH 15, 1989.</p> <p>Applicants by Dr.M.S.Nagaraja.</p> <p>Dr. Nagaraja undertakes to produce full and authenticated copy of the Recruitment Rules before the case is taken up for admission. Even before considering these cases for admission, we consider it proper to notify the respondents to show cause as to why these applications should not be admitted and interim order sought for by them should not be granted. Issue emergent notices to the respondents to show cause as to why these applications should not be admitted and interim order sought for should not be granted.</p> <p>Call on 27-3-1989.</p> <p>16/3</p>

*No notice issued to Resps to 1st & 2nd on 16-3-89 with hearing date on 27-3-89*

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VICE-CHAIRMAN.

27-3-89  
MEMBER(A).

Date	Office Notes	Orders of Tribunal
27.3.1989		<p><u>KSPVC/PSM</u></p> <p>Applicants by Dr. M.S.N. Respondents by Shri MVR. He prays for time till 29.3.1989 to make his submissions on the interim prayer. Call on 29.3.1989 to consider the interim prayer for the applicants.</p> <p style="text-align: right;">PJ 27/3/89 M(A)</p>
	<p><u>29.3.89</u></p> <p><u>A 272 and 273/89</u> <u>and 294/89</u></p> <p><u>Before</u></p> <p><u>KSP-VC</u> <u>PS-MCA</u>)</p> <p><u>Sri M.S. Nagadasay</u> <u>fees A 272 &amp; 273/89</u></p> <p><u>Sri Ranganatha S.</u> <u>Jois fees 294/89</u></p> <p><u>Sri M. Vasudeva Rao</u> <u>fees resp'ts</u> <u>Application Domicile</u> <u>order directed</u></p> <p style="text-align: right;">P.D. S C C.P.</p>	<p><u>KSPVC/PSM(A)</u></p> <p>29.3.1989</p> <p>Applicants in Application Nos. 272 &amp; 273/1989 by Dr. M.S. Nagaraja. Applicant in Application No. 294/1989 by Shri S. Ranganatha Jois. Shri M. Vasudeva Rao, learned Additional Central Government Standing Counsel for the respondents in all these cases.</p> <p>2. Shri Rao has placed before us notification no. 11-24/87-NCG dated 3.11.1987 published in the Gazette of India on 16.1.1988, publishing the Rules made by the President of India under the proviso to Article 309 of the Constitution repealing the Posts and Telegraphs (Observation Supervisors) Recruitment Rules, 1979 from the date of their publication in the Gazette. When this fact was brought to the notice of the Court, learned counsel for the applicants in our opinion very rightly pray for permission to withdraw these applications with liberty reserved to the applicants to challenge the repealing rules published on 16.1.1988 and all other actions flowing from the</p>

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Order Sheet (contd)

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Date	Office Notes	Orders of Tribunal
		<p>same in separate applications. Shri Rao opposes the permission sought by the applicants. But we consider it proper to grant the request of the applicants. We, therefore, dismiss these applications as withdrawn by the applicants reserving them the liberty sought by them. But in the circumstances of the cases, we direct the parties to bear their own costs.</p> <p><i>Ms. Bhuvanend P. J.</i> 29-3-1989 M(A)</p>
31-3-89	<p>Order dated 29-3-89 issued to all the parties concerned &amp; O/C filed.</p> <p><i>K. N. Nair</i></p>	