

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

TUES DAY THE Twenty fifth DAY OF August
ONE THOUSAND NINE HUNDRED AND EIGHTY SEVEN

: PRESENT :

THE HON'BLE MR. B.N. JAYA SIMHA: VICE-CHAIRMAN
AND
THE HON'BLE MR. D. SURYA RAO: MEMBER.

ORIGINAL APPLICATION NO. 480/87

Between:-

L. Nageswara Rao

.....Applicants.

- 1) The ^{And} Deputy Director (Admin). Office of the Director of census operations, Andhra Pradesh, Hyderabad - 500 027.
- 2) H. Radha Krishna
3) B. Krishna Prasad.
4) N.V. R.V. Prasad Rao
5) Smt. V. Shyamalambor.
6) R. Venkateswara Rao.
7) G. Vijayam Prasad.
- Respondents 2 to 7 are working as jr. supervisors, DDE unit, Office of the Director of census operations, Barkatpura, Hyderabad, A.P.

.....Respondents.

Application under Section 19 of the Administrative Tribunals Act, 1985 praying that in the circumstances stated therein the Tribunal will be pleased to set aside the selection made by the departmental promotion committee on 1-7-1987 for the promotion of eligible candidates to the post of Junior Supervisors, and consequential issue of the impugned proceedings of the 2nd respondent no. A. 32016/1/86-Estt. (J.S.), dt. 2nd July, 1987.

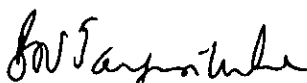
ORDER OF THE TRIBUNAL

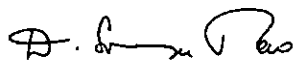
In this application the applicant seeks to question the order No.A.32016/1/86-Estt.(JS) dated 2-7-1987 passed by the Deputy Director (Admn.), Office of the Director of Census Operations, Andhra Pradesh, promoting respondents 2 to 7 as Junior Supervisors superseding the ~~applicant's~~ claims of the applicant.

-- have heard the learned Counsel for the applicant and Standing Counsel for the Central Government Mr.N.R.Dev Raj.

Admittedly, the applicant has not preferred any appeal against the order sought to be impugned whereby his juniors ~~as~~ were alleged to have been promoted. Rule 23(iv) of the CCS(CCA) Rules 1965 provides that a Government servant may prefer an appeal against an order which denies or varies to his disadvantage his pay, allowances, pension or other conditions of service as regulated by rules or by agreement ; an appeal against supersession in the matter of promotion ^{therefore} will fall within the purview of Rule s 23(iv) of the CCS(CCA) Rules. The applicant admittedly has ~~not~~ preferred any appeal against the order dated 2-7-1987. The application is

therefore premature~~d~~ and liable to be dismissed. Learned Counsel for the applicant represents that a considerable delay is anticipated in disposing of the representations and appeals by the Department. We direct that the applicant shall make representation within a week from to-day i.e. 25-8-1987 and the same shall be disposed of by the Department within 8 weeks from the date of receipt of the representation. With these directions, the application is dismissed. There will be no order as to costs.


(B.N. JAYASIMHA)
Vice Chairman


(D. SURYA RAO)
Member(J)

Dated: August 25, 1987.

vsn

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