

(27)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH  
AT HYDERABAD

O.A.NO.140 of 1987.

Date of Order : 07-11-1989

P.H.Killedar

...Applicant

versus

1. Union of India represented by  
Chief Labour Commissioner (C),  
Rafti Marg, Shramashakti Bhavan,  
New Delhi.
2. Union of India represented by  
Regional Labour Commissioner (C),  
3-6-168/7, Hyderguda, Hyderabad.

...Respondents

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COUNSEL FOR THE APPLICANT : SRI K.S.R.ANJANEYULU, ADVOCATE

COUNSEL FOR THE RESPONDENTS : MR.G.PARAMESWARA RAO FOR MR.  
P.RAMA KRISHNA RAJU, Sr.CGSC.

CORAM :

THE HONOURABLE MR.D.SURYA RAO : MEMBER (J)

THE HONOURABLE MR.D.K.CHAKRAVORTY : MEMBER (A)

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(Judgment of the Bench dictated by Hon'ble  
Shri D.Surya Rao, Member (Judicial)).

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The applicant herein who was working as an 'Adhoc  
office Superintendent Grade - II in the office of the Regional  
Labour Commissioner, Hyderabad has filed this application  
questioning the administrative order No.Adm.II/2/9/86 dated  
09-02-1987 passed by the 1st respondent reverting him to the  
grade of stenographer Gr.II. The applicant states that he was  
initially promoted as Office Superintendent on 20-04-1981 after  
selection by a D.P.C. on long term ad-hoc basis. He was initially  
posted to Chandigarh, but on request he was transferred to Hydera-  
bad and took charge on 13-11-1985. He was hopeful that he would  
be regularised as Office Superintendent along with several juniors

in the same category. Whiles, the Chief Labour Commissioner (Central), New Delhi issued the impugned order reverting the applicant to the post of stenographer Gr.II with effect from the date when one Sri J.Venkataraman, stenographer reports for duty at Hyderabad. He alleges that he has been selected by the Departmental Promotion Committee on long term adhoc basis and he cannot be replaced by another adhoc appointee.

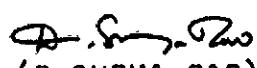
2. On behalf of the respondents a counter has been filed denying the claims of the applicant. It is stated that the post of Office Superintendent at Hyderabad is held on regular basis by one Sri N.Ramachandran. On his adhoc appointment on promotion an adhoc vacancy arose. Consequently the adhoc vacancy was filled-up by appointing the applicant in the year 1985. Now for want of a vacancy the applicant had to be reverted. Further it is stated that in the seniority list as on 1-6-80 Shri J.Venkataraman's name figures at Sl.No.3 and whereas the applicants name was figured at Sl.No.16. Consequently the applicant had to be reverted as he is junior most adhoc Office Superintendent.

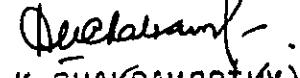
3. We have heard the learned counsel for the applicant Shri K.S.R.Anjaneyulu and Shri G.Parameswara Rao on behalf of the senior standing counsel for the central Government. Shri Anjaneyulu represents that pursuant to the interim orders the applicant has been continuing as Office Superintendent for more than two years and is unlikely to be reverted. In these circumstances he does not seek to contest the case on merits.

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As it is unlikely that the applicant would be reverted from the post of Office Superintendent, no specific orders are necessary in this case at this stage. / Accordingly dispose-  
of the case. No order as to costs.

  
(D.SURYA RAO)  
Member (J)

  
(D.K.CHAKRAVORTY)  
Member (A)

Dt. 6th November, 1989.  
Dictated in open court

AVL.

  
DEPUTY REGISTRAR(J)  
D 11/89

To

1. Chief Labour Commissioner(C) (Union of India)  
Rafi Marg, Shramashakti Bhavan,  
New Delhi - 1.
2. Regional Labour Commissioner(C),  
3-6-168/7, Hyderguda,  
Hyderabad.
3. One copy to Mr. K.S.R.Anjaneyulu, Advocate  
1-1-365/A, Jawaharnagar, Bakaram,  
Hyderabad.
4. One copy to Mr.P.Rama Krishna Raju, Sr.CGSC.,  
CAT., Hyderabad.
5. One spare copy.

YLKR