

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.A.No.23/89.

Date of Judgement 17.7.1991

P.Deva Sahayam

.. Applicant

Vs.

1. Naval Armament
Supply Officer,
Naval Armament Depot,
Visakhapatnam.

2. K.Sanyasi Rao

.. Respondents

Counsel for the Applicant :: Shri Vijaya Kumar for
Shri C.V.Mohan Reddy

Counsel for the Respondents:: Shri N.Bhaskara Rao, Addl. CGSC

CORAM:

Hon'ble Shri R.Balasubramanian : Member(A)

Hon'ble Shri C.J.Roy : Member(J)

[Judgement as per Hon'ble Shri R.Balasubramanian, Member(A)]

This application has been filed by Shri P.Deva Sahayam against the Naval Armament Supply Officer, Naval Armament Depot, Visakhapatnam and a private respondent Shri K.Sanyasi Rao under section 19 of the Administrative Tribunals Act, 1985. The prayer herein is to treat the Temporary Depot Order No.89/87 dt. 3.10.87 of the respondents as illegal and to direct the respondents to promote the applicant as Master Craftsman.

2. The applicant joined the Naval Armament Depot, Visakhapatnam as Fireman on 10.9.58. Subsequently, he had risen to the position of Fuse Mechanic in the year 1969. In 1982, the respondents introduced a selection post of Master Craftsman vide their memo No.1(2)/80/D/Civ.I) dt. 21.9.82. The guidelines based on which the promotion was to be effected were also contained in that memo. The applicant was duly considered in 1983 itself. One Shri Ch.Padmanabha Rao who was junior to the applicant was promoted. It is stated

that the applicant did not mind this because he was an important office-bearer of the union and also of the fact that Shri Ch.Padmanabha Rao was due to retire shortly. Moreover, according to the applicant, he was assured that when Shri Ch.Padmanabha Rao retired he would be given the post of Master Craftsman. In 1987, again promotions were ordered ^{and} ~~but~~ this time ^{also} the applicant did not get it. Instead, one Shri K.Sanyasi Rao, who is much junior to the applicant, ^{was} ~~got~~ promoted. Aggrieved, the applicant represented but without any success. He alleges that Shri K.Sanyasi Rao was away from the main stream for well over 7 years and that he is not eligible at all. It is also alleged that Shri K.Sanyasi Rao was promoted because of personal favours he had been doing to the higher-ups. Not finding any success the applicant has approached this Tribunal with this O.A.

3. The respondents oppose the application and have filed a counter affidavit.

4. The allegation that Shri K.Sanyasi Rao was out of the main stream for well over 7 years is denied. It is stated that Shri K.Sanyasi Rao was doing the same type of job as part of the larger unit. The charge that undue favour was showered on him was also denied. It is contended that the selection was done strictly in accordance with the rules.


5. We have examined the case and heard the rival sides. The respondents have appended a grading sheet to the counter. From the grading sheet it is seen that in the 10 year performance based on which promotion was effected in accordance with the guidelines, Shri K.Sanyasi Rao had got 3 'Outstanding', 6 'Very Good' and 1 'Good' ^{rating} ~~reports~~ against 1 'Very Good' and 9 'Good' of the applicant. Based on this assessment we ~~find~~ find that Shri K.Sanyasi Rao was

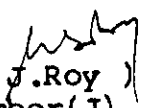
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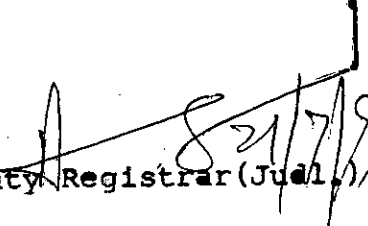
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promoted bypassing the applicant and we do not find anything illegal in the action of the respondents. We accordingly dismiss the application with no order as to costs.


(R. Balasubramanian)
Member(A).


(C. J. Roy)
Member(J).

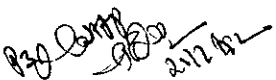

Dated: 17th July, 1992.


Deputy Registrar (Judicial)

Copy to:-

1. Naval Armament Supply Officer, Naval Armament Depot, Visakhapatnam.
2. One copy to Sri. C.V. Mohan Reddy, advocate, 1-10-249/2 Ashoknagar Extn. Hyd-bad-20.
3. One copy to Sri. N. Bhaskara Rao, Addl. CGSC, CAT, Hyd.
4. One copy to Hon'ble Mr. C.J. Roy, Judicial Member, CAT, Hyd.
5. One spare copy.

Rsm/-


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TYPED BY

0-A-23/87
COMPARED BY

CHECKED BY

APPROVED BY

THE HON'BLE MR.

V.C.

AND

THE HON'BLE MR. R. BALASUBRAMANIAN : M(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY :
MEMBER (JUDL)

AND

THE HON'BLE MR. C. J. ROY : MEMBER (JUDL)

Dated: 17/2 1992.

ORDER / JUDGMENT

R.A./C.A./M.A.No.

in

O.A.No.

23/87

T.A.No.

(W.P.No.)

Admitted and interim directions
issued

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for Default.

M.A. Ordered/Rejected.

No order as to costs.

pvm.

