

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD
BENCH : AT HYDERABAD :

Review Petition No.34 of 1990. Date of Order : 25.4.1990.
in
Original Application No.26/89.

S.Giri Rao

...Applicant

Vs.

1. The Director, Doordarshan Kendra,
Hyderabad - 500 013.
2. Union of India, represented by
The Director General,
Doordarshan, New Delhi - 110 001.

...Respondents

Counsel for the applicant : Shri K.Lakshmi Narasimha
Advocate

Counsel for the Respondents : Shri E.Madan Mohan Rao,
Addl.CGSC

CORAM:

HON'BLE SHRI B.N.JAYASIMHA : VICE CHAIRMAN

HON'BLE SHRI J.NARASIMHA MURTHY : MEMBER (JUDL)

(Order prepared by Hon'ble Shri B.N.Jayasimha,
Vice-Chairman)

This is an application for review of our
order dated 07-03-1990 in O.A.No.26 of 1989.

2. In the review application it is stated that
although the case was heard by the Hon'ble Vice-Chairman
and Shri J.N.Murthy, Member (J), the Judgment has been
signed by the Hon'ble Vice-Chairman and Hon'ble Shri
D.Surya Rao, Member (J) and this is contrary to rule
20 of the Administrative Tribunals Rules 1985. The
Judgment therefore has to be recalled and reviewed.

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We have looked into the record and also shown the original order to the learned counsel for the applicant for his perusal. The Judgment was signed by the Hon'ble Vice- Chairman and the Hon'ble Member, Shri J.Narasimha-Murthy, and it is only a mistake committed by the concerned typist in the copying section while preparing the Certified Copy. There is therefore no substance in this point.

3. The main point urged in this review application is that in O.A.No.890 of 1988, which was also disposed of on 7-3-90, the applicant therein had sought direction to the respondents to consider his case for promotion as Production Assistant. The applicant therein (Shri Anantha Raghavan) and the review applicant in this application had appeared in the interview for the post of Production Assistant, to which post an advertisement was issued by the respondents in January, 1984. The applicant herein was first in the reserve list, whereas Shri Anantha Raghavan was placed second. There is also no channel of promotion to the post of Production Assistant from the post of General Assistant. Yet in the judgment in O.A.No.890 of 1988 filed by Shri Anantha Raghavan, a direction was given to the respondents to consider his case for promotion as Production Assistant. By virtue of this order a junior person got the benefit, whereas the applicant has to suffer.

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4. We have heard the learned counsel for the Review Applicant Shri K.Lakshmi Narasimha and Shri E.Madan Mohan Rao, learned standing counsel for the Department. The applicant herein and the applicant in O.A.No.890/88 (Shri Anantha Raghavan) even though their names are found in the reserve list prepared in response to the advertisement issued by the respondents in January, 1984, have filed separate applications before this Tribunal and thereby sought different reliefs. The applicant herein sought a direction for releasing the select list and filling-up the posts of production assistant by appointing the candidates in the select list including the applicant. The applicant in O.A.No.890 of 1988 (Shri Anantha Raghavan) however had sought a direction to the respondents to consider him to the post of Production Assistant in Doordarshan Kendra, Hyderabad in accordance with the directions contained in the order dt. 18-07-1988 made by the Principal Bench of the Central Administrative Tribunal in O.A.No. 664 of 1986. After considering the matter we directed that the applicant (in OA No.890/1988) should first submit a representation placing all relevant materials to the respondents and the respondents were directed to dispose of the same keeping in view the direction given in O.A.No.664/1986 by the Principal Bench. On the other hand, the applicant in this review application had not sought any similar relief but based his claim for

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ment on the ground that his name is in the reserve list. That contention was found to be not valid and hence the O.A.No.26 of 1989 filed/^{by}the review applicant was rejected. It is thus seen that the relief asked for by the applicant in O.A.No.26 of 1989 and in O.A.No.890 of 1988 are entirely different. Obviously, the relief granted to the applicant in O.A.No.890 of 1988 could not be given to the review applicant as he has not asked for that relief at all.

5. The next contention of the applicant is that in the Gazette published in the month of July, 1988 framing new rules called Doordarsan Program Recruitment Rules, 1988, 422 vacancies have been shown against the post of Production Assistant and the respondents should exhaust the reserve list before making further appointments. In our judgment, we have considered at length what the reserve list is and we see no merit in this contention.

6. The learned counsel for the applicant argued that this judgment should not be a bar to the applicant seeking a relief from the respondents, in terms of the judgment dated 18-7-1988 in O.A.No.664 of 1986 of the Principal Bench of Central Administrative Tribunal.

We can make no observation on the right of the applic

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to seek the relief from the respondents in the same manner as the applicant in O.A.No.890 of 1988 as this point was not raised by the applicant in his original application (O.A.No.26 of 1989).

7. In the result, this review application is dismissed. No costs.

B.N. Jayasimha
(B.N.JAYASIMHA)
Vice-Chairman

J.N. Murthy
(J.N.MURTHY)
Member (J)

Dated : 25th April, 1990.

For Deputy Registrar
21/5/90

AVL.

To:

1. The Director, Doordarshan Kendra, Hyderabad-500 013.
2. The Director General, (Union of India) Doordarshan, New Delhi- 110 001.
3. One copy to Mr.K.Lakshmi Narasimha Advocate, 16-11-20/13, Saleemnagar-2, Malakpet, Hyderabad-500 036.
4. One copy to Mr.E.Madan Mohan Rao, Addl.CGSC, CAT, Hyd.
5. One spare copy.

kj.

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TYPED BY:

COMPARED BY :

IN THE CENTRAL ADMINISTRATIVE TRIBU-
NAL:HYDERABAD BENCH:HYD.

HON'BLE MR.B.N.JAYASIMHA: V.C.

~~HON'BLE MR.D.SURYA RAO:MEMBER:(JUDL)~~

A N D

HON'BLE MR.J.NARASIMHA MURTHY(M)(J)

A N D

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

DATED: 28/4/80

ORDER/JUDGMENT:

~~M.A./R.A./E.A./No.34/80 in~~

~~T.A.No.~~

~~W.P.No.~~

~~D.A.No.26/89.~~

Admitted and Interim directions
issued.

~~Allowed.~~

~~Dismissed for default.~~

~~RO Dismissed. no costs.~~

~~Disposed of with direction.~~

~~M.A. ordered.~~

~~No order as to costs.~~

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