

(37)

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: AT HYDERABAD.

O.A. No. 830/89

Date of Decision: 26-8-92

T.A. No.

V.Poli Reddy,

Petitioner.

Sri G.Mohan Rao,

Advocate for
the Petitioner(s)

Versus

Union of India, rep. by the Secretary to Govt.,
Ministry of Personnel & Training, Administrativ Respondent.
Reforms, Public Grievances & Pensions, New Delhi & 3 others

Sri N.R.Devraj, Sr.CGSC for RR 1 & 2

Advocate for
the Respondent
(s)

Sri D.Pandu Ranga Reddy, spl. counsel for
RR 3 & 4.

COR. At:

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

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

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporters or not ?
3. whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?
5. Remarks of Vice Chairman on Columns 1,2,4 (To be submitted to Hon'ble Vice-Chairman where he is not on the Bench.)

NO

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(HRBS)
M(A)

(HCR)
M(J)

(38)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.830/89.

Dt. of Order:26-8-92.

V.Poli Reddy

...Applicant

Vs.

1. Union of India rep. by the Secretary to Government, Ministry of Personnel & Training, Administrative Reforms, Public Grievances & Pensions, New Delhi,
2. Union Public Service Commission rep. by its Secretary, New Delhi,
3. State of Andhra Pradesh rep. by the Chief Secretary, General Administration Department, Secretariat, Hyderabad-22,
4. The Principal Secretary to Government, Energy, Forests, Environment, Science & Technology (For.II) Department, Andhra Pradesh, Secretariat, Hyderabad.

...Respondents

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Counsel for the Applicant : Sri G.Mohan Rao

Counsel for the Respondents : Sri N.R.Devraj, Sr.CGSC
for RR 1 & 2,
Sri D.Pandu Ranga Reddy, for
RR 3 & 4.

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CORAM:

THE HON'BLE SHRI R.BALASUBRAMANIAN : MEMBER (A)

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

(Order of the Division Bench delivered by
Hon'ble Sri R.Balasubramanian, Member (A)).

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This application is filed by V.Poli Reddy, under section 19 of the Administrative Tribunals Act, 1985, to call for and peruse the records relating to the issue involved and declare by an order or direction that the respondents shall include the name of the applicant herein, at an appropriate place in the Select List for the year 1986, viz., of Officers fit for appointment by promotion to the Andhra Pradesh Cadre of Indian

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Forests Service, keeping in view the orders of the State Government contained in G.O.Rt.No.7, Energy, Forests, Environment, Science & Technology (For.II) Department, dt.5-1-88, G.O.Rt.No.G.O.Rt.No.323, Energy, Forests, Environment, Science and Technology (For.II) Department dt.24-4-89 and G.O.Rt.No.699, Energy, Forests, Environment, Science & Technology (For.II) Department dt.19-8-89.

2. The applicant's name was considered by the Departmental Selection Committee ~~(D.P.C.)~~ sitting ⁱⁿ December, 1986. His name was however not included in the select list and against this the applicant filed O.A.372/87, which was disposed-of on 2-9-88 accepting the statement of the Respondents ~~(D.P.C.)~~ that uncommunicated adverse remarks ^{by the D.P.C.} had not been taken into consideration. Even at that time communicated adverse remarks were there ~~(D.P.C.)~~ and representations were also pending against the same. Subsequently vide G.O.Rt.No.7 dt.5-1-88, G.O.Rt.No.323 dt.24-4-89 and G.O.Rt.No.699 dt.19-8-89 all material to the dis-advantage of the applicant were expunged by the State Government. There is no clear indication either from the D.P.C. Proceedings or from the counter filed by the Respondents to the effect that these ^{expunged} adverse remarks against the applicant had not effected the rating given by the D.P.C. to the applicant. If the fact that the adverse remarks have subsequently been expunged is taken into consideration, there is a possibility of change of rating

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given by the given by the D.P.C. Under these circumstances we direct the Respondents to review the finding of the December, 1986 D.P.C. in the case of the applicant taking into account the three G.O.s referred to above and assign him suitable place based on the revised finding, if any. If as a result he is included in the select list, he shall be entitled to all the consequential benefits in accordance with law.

3. The Respondents are directed to comply with this order within six months from the date of receipt of the order. Accordingly the O.A. is disposed-of with no order as to costs.

R.Balasubramanian

(R.BALASUBRAMANIAN)
Member (A)

history
(C.J.ROY)
Member (J)

Dated: 26th August, 1992.
Dictated in the Open Court.

Dy. Registrar (Jud.)

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Copy to:-

1. Secretary to Government, Ministry of Personnel & Training, Administrative Reforms, Public Grievances & Pensions, Union of India, New Delhi.
2. Secretary, Union Public Service Commission, New Delhi.
3. Chief Secretary, General Administration Department, State of AP Secretariat, Hyderabad-22.
4. The Principal Secretary to Government, Energy, Forests, Environment, Science & Technology (For.II) Department, A.P., Secretariat, Hyderabad.
5. One copy to Sri. G.Mohan Rao, advocate, 3-5-703, New Narayanaguda, Hyd.
6. One copy to Sri.N.R.Devaraj, Sr. CGSC, CAT, Hyd.
7. One copy to Sri. D.Panduranga Reddy, Spl. counsel for the state of A.P. (R-3 & R-4).
8. One spare copy.
9. one copy to Hon. Member C.J. Roy H(J)

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O.A. 830787

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

THE HON'BLE MR.

AND

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

AND

THE HON'BLE MR.T.CHANLRASEKHAR REDDY:
MEMBER(J)

AND

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

Dated: 26/8/ - 1992

ORDER / JUDGMENT

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

in

O.A.No.

830789

T.A.No.

(W.P.No.)

Admitted and interim directions
issued

Allowed.

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default

M.A.Ordered / Rejected

No orders as to costs.

pvm.

