

(12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

O.A.NO. 200 of 1990 ✓

Date of Order: 08/03/90 ✓

D.Venkataiah ✓

..Applicant ✓

Versus

The Regional Provident Fund Commissioner,
Andhra Pradesh, Barkatpura,
Hyderabad and others

..Respondents ✓

FOR APPLICANT: MR.V.S.N.Sarma, Advocate ✓

FOR RESPONDENTS: MR.G.Parameshwar Rao, Standing Counsel
for Respondents 1 and 2 ✓

C O R A M:

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

HON'BLE SHRI D.SURYA RAO: MEMBER(JUDICIAL) ✓

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(Judgment delivered by Shri B.N.Jayasimha, Vice Chairman)

1. The Applicant has filed this application seeking a direction to the 3rd respondent viz., the Employment Exchange Officer, Cuddapah, to sponsor his name to the 1st and 2nd respondents for the purpose of considering his case for appointment to the post of Tea and Coffee Maker in the 2nd respondent's office.

2. The applicant states that he got his name registered in the 3rd respondent's office during 1978 with Registration no. 6698/78 ✓ His name is being renewed from time to time and the last such renewal was on 11-8-89. ✓

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He also fulfills the requirement for the post of Tea and Coffee Maker in the 2nd respondent's office. The 1st respondent notified certain vacancies to the post of Tea and Coffee Maker to the 3rd respondent's office during January, 1990 requesting to sponsor candidates. The applicant states that the 3rd respondent has sponsored a candidate one Sri V.Naga Muni Ratnam whose registration number is 11350/89. The said Naga Muni Ratnam is junior to the applicant. The applicant contends that even though he is a senior his name was not sponsored. He further states that he is physically handicapped and is eligible for concession regarding the possession of required age under Rules of Reservation. The applicant contends that the action of the authorities in not sponsoring his name is arbitrary and illegal and it amounts to violation of provisions of Articles 14 and 16 of the Constitution of India. Hence, he filed this application.

3. We have heard Shri V.S.N.Sharma, learned counsel for the applicant and Shri G.Parameshwar Rao, Standing Counsel for Respondents 1 and 2.

4. As per the affidavit filed by the applicant, the applicant was registered in the year 1978 whereas the person sponsored Sri V.Naga Muni Ratnam has a registration no.11350/89. It is not clear whether any particular qualifications have been prescribed for the post of Tea and Coffee Maker which the applicant does not possess to exclude his name from the list sponsored. In these circumstances the 3rd respondent is directed to sponsor the name of the applicant

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(a) if he is senior to Sri V.Naga Muni Ratnam whose registration number is stated to be 11350/89 and

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if Shri V.Naga Muni Ratnam has been sponsored;

(b) if the applicant fulfills the requirements, prescribed by the Department while asking the Employment Exchange for sponsoring the candidates; and

(c) if the applicant is senior to Sri V.Naga Muni Ratnam in the particular category in which his name is registered and from which category the names are sponsored.

5. The application is disposed of with the above directions at the admission stage. No costs.

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

D. Surya Rao
(D.SURYA RAO)
Member (Judl.)

(Dictated in open court)
DT.8th March, 1990.

[Signature]
DEPUTY REGISTRAR (J)
8/3/90

SQH*

TO:...

1. The Regional Provident Fund Commissioner, Andhra Pradesh Barkatpura, Hyderabad.
2. The Assistant Provident Fund Commissioner, Railway Station Road, Near T.V.Relay centre, Cuddapah.
3. The Employment Exchange officer, Cuddapah.
4. One copy to Mr.V.S.N.Sharma, Advocate, High Court Advocates Association, Hyderabad.
5. One copy to Mr.G.Parameswara Rao, Standing counsel for Respondents 1 & 2, CAT., Hyderabad.
6. One spare copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH:

HON'BLE MR. S. N. JAYASIMHA: (V.C.) ✓

A N D

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: 8-3-90

ORDER/JUDGMENT: ✓

~~M.A./R.A./No.~~

~~I.A.No.~~

~~(H.F.No.)~~

D.O.No. 200/90

~~Aggrieved and interim directions
issued.~~

~~Allowed.~~

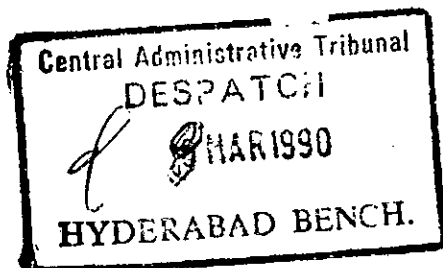
~~Dismissed.~~

~~Disregard of with direction, at Hyderabad~~

~~M.A. Order~~

~~No order as to costs~~

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