

(11)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD  
BENCH AT : HYDERABAD

D. A. No.530/90

Date of order:9th July,1990

BETWEEN

G. Rani Bai,  
L. D. Clerk,  
O/O Dy.Chief Controller of  
Imports & Exports,Hyderabad.

.. Applicant

Versus

1. The Joint Chief Controller of  
Imports and Exports, No.197,  
Peters Road, Royapettah,  
Madras.

2. The Dy. Chief Controller of  
Imports & Exports, Lata Complex,  
Nampally, Hyderaabad.

.. Respondents

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APPEARANCE

For the Applicant : Mr. D. Linga Rao, Advocate

For the Respondents : Mr. E. Madan Mohan Rao, Addl.  
Standing Counsel for Respondents

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CORAM

THE HON'BLE SHRI B.N. JAYASIMHA, VICE CHAIRMAN

THE HON'BLE SHRI D. SURYA RAO, MEMBER (JUDICIAL)

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(Judgement of the Bench delivered by Hon'ble Shri D. Surya Rao)  
Member (Judicial)

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The applicant herein is working as L.D. Clerk in the  
office of the second respondent. The applicant was promoted  
from the post of L.D. Clerk to that of U.D.Clerk on ad hoc

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(Contd...)

To

1. The Joint Chief Controller of Imports and Exports,  
No. 197, Peters Road, Royapettah,  
Madras.
2. The Dy. Chief Controller of Imports & Exports,  
Lata Complex, Nampally, Hyderabad
3. One copy to Mr. D.Linga Rao, Advocate  
1-1-258/10/C, Chikkadapally, Hyderabad.
4. One copy of Mr.E.Madanmohan Rao, Addl.CGSC, CAT, Hyderabad  
Bench.
5. One spare copy.

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basis and posted to Madurai, Tamilnadu. The applicant states that due to certain personal grounds she is unable to move from Hyderabad and she made a representation on 5-7-1990 stating that she is unable to accept the promotion. She requested the first respondent in her representation dated 5-7-1990 that she may be accommodated in Hyderabad itself and in case that is not possible she may be retained in the same post foregoing her promotion. For these reasons the applicant has filed this application praying that the order of the transfer consequent on her promotion pursuant to the order dated 29-6-1990 may be set-aside and she may be retained at Hyderabad.

2. We have heard Mr.D.Linga Rao, learned counsel for the applicant and Shri E.Madan Mohan Rao, Addl. Standing Counsel for the Respondents, who has taken notice at the admission stage.

3. Shri Madan Mohan Rao <sup>raises a</sup> ~~takes the~~ preliminary objection ~~that~~ the application is premature as the representation was made only on 5-7-1990 and even before the respondents have had time to consider the same, the applicant has rushed to the Court. We find that the application is premature and is barred by Section 20 of the Administrative Tribunals Act, 1985, ~~as being~~ ~~premature~~. While dismissing the application, we direct the respondents to dispose of the representation expeditiously in accordance with the rules/instructions on the subject and till the disposal of the representation, retain the applicant in her present post at Hyderabad. Accordingly, the OA is disposed of with the above directions. No costs.


  
(B.N. JAYASHIMHA)

Vice Chairman

(Dictated in open Court)  
Dt. July, 9 1990,



(D. SURYA RAO)  
Member (Judl.)

  
Dy. Registrar (J)

MVS/SQH

CHECKED BY *WJ*

APPROVED BY

TYPED BY *R*

COMPARED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

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

AND

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

AND

THE HON'BLE MR. J. NARASIMHAMURTHY: M(3)

AND

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

DATE : 9-7-90

ORDER / JUDGMENT

~~T.A./R.A./G.A./No.~~

~~in~~

~~T.A. No.~~

~~W.P. No.~~

D.A. No. 530/90

Admitted and Interim directions Issued.

Allowed.

Dismissed for default.

Dismissed as withdrawn.

Dismissed.

Disposed of with direction.

M.A. ordered/Rejected.

No order as to costs.

