

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

ORIGINAL APPLICATION NO.550 of 1990

DATE OF ORDER: 17th August, 1990.

**BETWEEN:**

Mr. M.Srinivas .. . . . . Applicant

and

1. Govt. of India represented by Secretary to the Government, Ministry of Defence, Dept. of Defence Productions, New Delhi.
2. The Ordnance Factory Board represented by Secretary, Ordnance Factory Board, Calcutta-1.
3. The General Manager, Ordnance Factory Project, Yeddumailaram, Medak Distt.A.P. .. . . . . Respondents

FOR APPLICANT : Mr. Y.Suryanarayana, Advocate

FOR RESPONDENTS : Mr. Naram Bhaskar Rao, Addl. CGSC

CORAM: Hon'ble Shri B.N.Jayasimha, Vice Chairman  
Hon'ble Shri D.Surya Rao, Member (Judl.)

JUDGMENT OF THE DIVISION BENCH DELIVERED BY THE HON'BLE  
SHRI D.SURYA RAO, MEMBER (JUDL.)

It is alleged by the applicant herein that the 3rd respondent issued an order dated 29.8.1985 calling for applications for filling up the posts of Lower Division Clerks in the 3rd respondent's factory. Inservice employees

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were eligible to apply along with the candidates sponsored by the Employment Exchange. It is alleged that pursuant to this notification calling for applications, tests were held, and a select list of panel comprising of 72 names was prepared. The applicant's name was included at Sl.No.57. The applicant was an inservice candidate since he was working as Dafty in the 3rd respondent's factory. The select list was implemented upto Sl.No.43. The applicant contends that according to the O.M.No.22011/2/79-Estt(d) dated 8.2.1982 issued by the Ministry of Personnel & Administrative Reforms, entire panel is liable to be exhausted before a fresh panel is prepared. Even before completion of filling in all the 72 names included in the select list, the 3rd respondent issued a letter dated 5.2.1989 to the District Employment Officer, Sangareddy cancelling the list of empanelled LDCs consisting of 28 candidates who had been previously included in the list. Aggrieved by this order, certain persons who had been selected filed O.A.No.327/1989 challenging the cancellation of the panel. This Tribunal, by an order dated 23.11.1989 in the said O.A., allowed the plea of the applicants therein and directed the respondents to operate the panel before preparing a fresh panel. The applicant states that he had been requesting the 3rd respondent to appoint him to the post of Lower Division Clerk since he has already been included in the panel and his serial No. is 57. But till date no action has been taken. He, therefore, seeks a direction to the respondents to operate the panel of LDCs prepared in 1985 and appoint the applicant in terms of his seniority.

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To

1. The Secretary to the Government, Govt. of India, Ministry of Defence, Dept. of Defence Productions, New Delhi.
  2. The Secretary, Ordnance Factory Board, Ordnance Factory Board, Calcutta-1.
  3. The General Manager, Ordnance Factory Project, Yeddu-mailaram, Medak Dist. A.P.,
  4. One copy to Mr. Y. Suryanarayana, Advocate 40 M.I.G. Housing Board Colony, Mehiapatnam, Hyderabad.
  5. One copy to Mr. N. Bhaskara Rao, Adal. CGSC. CAT. Hyd. Bench.
  6. One spare copy.

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2. On behalf of the respondents a counter has been filed ~~stating~~ admitting that the applicant's position is at Sl.No.58 in the select list and that appointments to the extent of 52 candidates have been made. It is further stated that pursuant to the judgment in O.A.No.327/1989 passed by this Tribunal, the panel is being operated, that ~~accordingly~~ the applicant's turn has now come up and that he will be appointed. However, the offer of appointment had to be kept in abeyance in view of his having filed the present application.

3. We have heard the learned counsel for the applicant, Shri Naveen Rao and the learned Additional Standing counsel for the respondents/department, Shri Naram Bhaskar Rao. In view of the averment made in the counter that the applicant's turn has come and offer of appointment is being made to him, no further order are therefore necessary in this application. The application is accordingly disposed of. There will be no order as to costs.

(Dictated in the open Court).

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

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

Dated: 17th August, 1990.

*Emergency List*  
for Deputy Registrar (Judl) 23/8/90

MSN  
22/8

23/8

CHECKED BY

APPROVED BY

TYPED BY f

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 (J.)

AND

THE HON'BLE MR. J. NARASIMHA MURTY : M (J)

AND

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

DATE: 17/8/90

ORDER/JUDGMENT:

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

in

T.A. No.

W.P. No.

O.A. No. 550/90

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.

