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Central Administrative Tribunal

HYDERABAD BENCH : AT HYDERABAD

O.A. No. 203 of 1991

Date of Decision : 6-3-1991

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B.Satti Babu

Petitioner.

Smt.S.TripuraSundari, Advocate.

Advocate for the
petitioner (s)

Versus

~~Shri~~ The General Manager,
India Govt.Mint,
Hyderabad-500004.

Respondent.

Shri Naram Bhaskara Rao,
Addl.CGSC.

Advocate for the
Respondent (s)

CORAM :

THE HON'BLE MR.

B.N.JAYASIMHA, VICE-CHAIRMAN.

THE HON'BLE MR.

D.SURYA RAO, MEMBER (JUDICIAL).

1. Whether Reporters of local papers may be allowed to see the Judgement? *NO*
2. To be referred to the Reporter or not? *NO*
3. Whether their Lordships wish to see the fair copy of the Judgment? *NO*
4. Whether it needs to be circulated to other Benches of the Tribunal? *NO*
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)

B.N.J.
(B.N.J.)

D.S.R.
(D.S.R.)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT : HYDERABAD

O.A.No. 203 of 1991

Dt. of Decision: 6-3-1991

Between:-

B.Satti Babu

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Applicant

and

The General Manager
India Government Mint
Mint Compound
Hyderabad-500004

..

Respondent

Appearance:

For the Applicant : Smt.S.Tripura Sundari, Advocate.

For the Respondent : Shri Naram Bhaskara Rao,
Addl.CGSC.

CORAM:

THE HONOURABLE SHRI B.N.JAYASIMHA, VICE-CHAIRMAN.

THE HONOURABLE SHRI D.SURYA RAO, MEMBER(JUDICIAL).

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

1. The applicant herein is now working as Class-III Assistant in the respondent's organisation. He was promoted temporarily to Class-III from Class-IV post by an order dated 8.10.1990. This order states that his date of promotion is 1.10.1989, that the promotion shall be notional and that the applicant shall not be entitled to any benefits. It is further made clear that his basic pay will be fixed notionally in accordance with these orders. He made a representation dated 15.10.1990 claiming that he is entitled to arrears and that orders treating the promotion as notional as on 1-10-1989 is illegal. That was followed by another representation on 29-11-1990.

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It is stated that no reply has been given by the respondents to his representations. He has, therefore, filed the present application contending that his name was approved by the D.P.C. for promotion from 1-10-1989 and the Administration therefore cannot deny him the benefit of pay scale and arrears from that date. The applicant, therefore, prays for a direction to give him the consequential benefits of promotion w.e.f. 1.10.1989.

2. We have heard the learned Counsel for the applicant Smt.S.Tripura Sundari, and the learned Standing Counsel for the Department, Shri Naram Bhaskara Rao, Addl.Central Govt. Standing Counsel, who has taken notice at the stage of admission.

3. Shri Naram Bhaskara Rao opposes the admission of the application stating that it is premature as the applicant submitted representations on 15.10.1990 and 29.11.1990 and they are yet to be disposed of. He contends that under section 21 of the Administrative Tribunals Act, 6 months time ^{is available to the respondents to dispose of the representation} ~~limit is given~~ and the applicant should not have approached this Tribunal even before expiry of the said period of 6 months. He, therefore, contends that the application is premature.

4. We have considered these submissions made by the learned Standing Counsel for the respondents, Shri Naram Bhaskara Rao, ^{and find merit in the same in that} ~~that~~ ^{is A} six months time was yet to lapse since the date of issuing of the impugned order as well as the ^a ~~date~~ of representations. In the circumstances, the

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application is rejected as premature. However, the respondents are directed to dispose of the representations submitted by the applicant within one month from the date of receipt of this order. There is no order as to costs.

(Dictated in Open Court)

B.N. Jayasimha
(B.N. JAYASIMHA)
VICE-CHAIRMAN

D. Surya Rao
(D. SURYA RAO)
MEMBER (JUDICIAL)

Date: 6-3-1991

[Signature]
Deputy Registrar (A)

To

1. The General Manager,
India Government Mint Mint Compound, Hyderabad-4.
2. One copy to Smt. S. Tripura Sundari, Advocate, CAT. Hyd Bench.
- nsr**
3. One copy to Mr. N. Bhaskar Rao, Addl. CGSC. CAT. Hyd. Bench.
4. One spare copy.

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CHECKED BY

APPROVED BY

TYPED BY

COMPARED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

THE HON'BLE MR.D.SURYA RAO : M(J)

AND

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

AND

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

Dated: 6-3-1991.

ORDER - / JUDGMENT:

M.A./R.A./C.A. NO.

in

T.A.No.

W.P.No.

O.A.No.

203/91

Admitted and Interim directions
issued.

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default

M.A. Ordered/Rejected.

No order as to costs.

