

(30)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No. 232/91

Date of Order: 23.6.1994

BETWEEN:

J.Jambunathan

.. Applicant.

A N D

1. South Central Railway,
Rep. by its General Manager,
Railnilayam, Secunderabad.
2. Chief Mechanical Engineer,
South Central Railway,
Rail Nilayam, Secunderabad.
3. Chief Personnel Officer,
South Central Railway,
Headquarters Office,
Secunderabad.
4. Deputy Chief Mechanical Engineer,
Carriage Repair Shop, S.C.Rly.,
Settipalli Post, Tirupati.
5. S.Vasudevaiah, Chargeman 'B'
HTXR/TPTY, Office of the CDO,
South Central Railway, Tirupati.

.. Respondents.

Counsel for the Applicant

.. Mr.C.N.Murthy for
Mr.V.Jogayya Sarma

Counsel for the Respondents

.. Mr.N.Rajeswara Rao for
Mr.D.Gopal Rao

CORAM:

HON'BLE SHRI A.B.GORTHI : MEMBER (ADMN.)

HON'BLE SHRI T.CHANDRASEKHARA REDDY : MEMBER (JUDL.)

(31)

.. 2 ..

[As per Hon'ble Shri A.B.Gorthi, Member (Admn.)]

The applicant who was working as the Shop Superintendent of Machine Shop, Carriage Repair Work Shop, Tirupati has filed this OA seeking a declaration to the effect that the inclusion of the 5th respondent for promotion to Group 'B' post in the panel is illegal and for a direction to the respondents to include the name of the applicant in the panel for promotion to Group 'B' post of AME/AWE against 25% quota.

2. The respondents in their reply affidavit have clarified that the applicant though succeeded in the written test, did not secure qualifying marks in the viva voce and hence his name was not included in the panel for promotion to Group 'B' post. As regards Respondent No.5 the respondents contended that though initially they found him eligible for promotion in the work shop stream, later on they deleted his name from the panel as his name was to be included in the CW stream.

3. There does not seem to be any dispute as to the veracity of what has been stated by the respondents in their reply affidavit. We have also called for the records and perused the same. The applicant did not secure minimum percentage of marks in the viva voce. As the name of Respondent No.5 was deleted from the panel another employee's name (A.N.Mutalik) was included in the panel.

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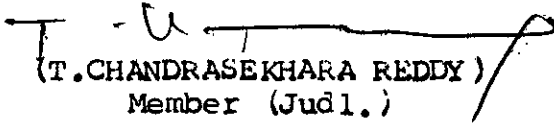
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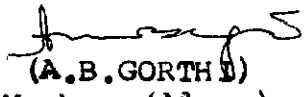
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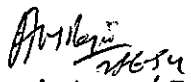
4. In the result we see no merit in the
OA and the same is hereby dismissed without any order
as to costs.


(T. CHANDRASEKHARA REDDY)
Member (Judl.)


(A.B. GORTHY)
Member (Admn.)

Dated: 23rd June, 1994

(Dictated in Open Court)


Deputy Registrar (Judl.)

sd

Copy to:-

1. General Manager, South Central Railway, Rail Nilayam, Secunderabad.
2. Chief Mechanical Engineer, South Central Railway, Rail Nilayam, Secunderabad.
3. Chief Personnel Officer, South Central Railway, Head Quarters Office, Secunderabad.
4. Deputy Chief Mechanical Engineer, Carriage Repair Shop, S.C. Railway, Settipalli Post, Tirupathi.
5. One copy to Sri. V. Jogayya Sarma, advocate, CAT, Hyd.
6. One copy to Sri. B. Gopal Rao, SC for Railways, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

Rsm/-

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O.A. 232/91

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COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE CHAIRMAN

AND

THE HON'BLE MR. A. B. G. RTHI : MEMBER(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY
MEMBER (JUDL)

AND

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

Dated: 23/6/1994.

ORDER/JUDGMENT: _____

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

in

O.A.No. 232/91

T.A.No. _____ (W.P. _____)

Admitted and Interim Directions
Issued.

Allowed

Disposed of with directions

Dismissed.

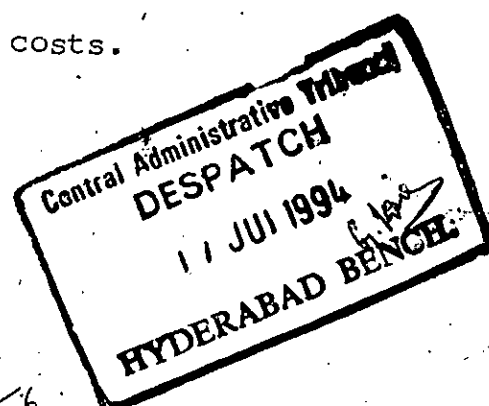
Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered.

No order as to costs.

pvm



27/6/94