

Central Administrative Tribunal
HYDERABAD BENCH : AT HYDERABAD

O.A. No. 1147/91
T.A.No.

Date of Decision : 19-12-91

G.Venkata Sukumar Petitioner.
Shri P.Krishna Reddy Advocate for the
petitioner (s)
Versus
The Chief Personnel Officer, SCR, Rail Nilayam, Respondent.
Secunderabad & 2 others
Shri N.V.Ramana Advocate for the
Respondent (s)

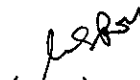
CORAM :

THE HON'BLE MR. P. BALASUBRAMANIAN : MEMBER (A)

THE HON'BLE MR. C.J. ROY : MEMBER (JUDICIAL)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?
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)


(RBS)
M(A)


(CJR)
M(J)

20-9-91. Due to ~~this~~ low position in the panel the applicant could not get ~~be~~ appointed to the Group 'D' post for which ~~they~~ ~~have~~ been empanelled. The Respondents instead offered the Group 'D' post in the lower scale of 750-940 at Guntakal. But this also did not materialise on account of opposition from the Labour Union. The applicant hoped that they would be absorbed atleast in Group 'D' post in Carriage Repair Shop, Tirupathi itself. In the meantime the Respondents issued employment notification No.1/91 calling for applications from the open market for filling up 40 group 'D' posts. The applicant is aggrieved that while he, who had been empanelled for Group 'C' posts and subsequently could not be accommodated even in Group 'D' posts in the Guntakal Division, it is not proper on the part of the Respondents to ignore the case of the applicant and to fill-up the vacancies from the open market. Hence this application.

3. Counter has been filed on behalf of the Respondents opposing the application. Their plea now is that they have received a letter No.E(NG)11091/RR-1/21 dt.16-9-91 from the Railway Board by which all fresh recruitments to group 'D' posts have been stopped. They have also taken pains to point out that neither the initial empanelment to the Group 'D' posts nor the subsequent concurrence of the applicants for absorption in the Group 'D' posts vests the applicants with any legal rights.

4. We have heard Shri P.Krishna Reddy, learned counsel for the applicants and Shri N.V.Ramana, learned counsel for the Respondents. We have also gone through the records carefully. We are of the view that the applicant is entitled to be considered atleast for the Group 'D' post. In these circumstances we direct the Respondents that as and when the Group 'D' posts in the outsider's quota become available at Carriage Repair Shop, Tirupathi or any where else in the Guntakal Division, the applicant should be considered first before considering any other case in the order of this rank in the empanelment for Group 'C' posts. With these directions the application is disposed-of with no order as to costs.

Balasubramanian

(R.BALASUBRAMANIAN)
Member (A)

Reddy
(C.J. REDDY)
Member (J)

Dated: 19th December, 1991.
Dicted in Open Court.

[Signature]
Deputy Registrar (J)

avl/

TO

1. The Chief Personnel Officer,
S.C.Railway, Railnilayam, Secunderabad.
2. The Deputy Chief Mechanical Engineer,
Carriage Repair Shop, Tirupathi.
3. The Workshop Personnel Officer,
Carriage Repair Shop, S.C.Railway, Tirupathi.
4. One copy to Mr.P.Krishna Reddy, Advocate, CAT.Hyd.Bench.
5. One copy to Mr.N.V.Ramana, SC for Rlys, CAT.Hyd.Bench.
6. One spare copy.

pvm

[Signature]
11/12/92