

(99)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

MISCELLANEOUS APPLICATION NO.1432 of 1991

AND

ORIGINAL APPLICATION NO.1074/91

DATE OF JUDGMENT: 27th December, 1991

BETWEEN:

Mr. S.S.Prakash Rao

..

Applicant

AND

1. The Sr. Divisional Accounts Officer,
S.E.Railway,
Visakhapatnam.
2. The Financial Advisor & Chief
Accounts Officer,
(Survey & Construction),
SE Railway,
Visakhapatnam.
3. The Divisional Railway Manager,
SE Railway,
Visakhapatnam.
4. The Financial Advisor & Chief
Accounts Officer (Admn.),
SE Railway, Garden Reach,
Calcutta-43.

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Respondents


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COUNSEL FOR THE APPLICANT: Mr. G.V.R.S.Vara Prasad

COUNSEL FOR THE RESPONDENTS: Mr. N.R.Devaraj,
SC for Railways.

CORAM:

Hon'ble Shri R.Balasubramanian, Member (Admn.)

Hon'ble Shri T.Chandrasekhar Reddy, Member (Judl.)

JUDGMENT OF THE DIVISION BENCH DELIVERED BY THE HON'BLE
SHRI T.CHANDRASEKHAR REDDY, Member (Judicial)

This is an application filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 to direct the respondents to transfer the lien of the applicant in the cadre of Clerk to Accounts Department, South Eastern Railway, Waltair from the Mechanical Department, ~~Sankhya~~ and include his name in the gradation list of Accounts Department of S.E.Railway, Waltair.

2. Mr. G.V.R.S.Vara Prasad, learned counsel for the applicant and Mr. N.R.Devaraj, learned Standing Counsel for the Respondents, are present and we have heard them.

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3. Shri Devaraj on behalf of the respondents opposed the O.A. ^{Admission of law} ~~itself~~ on the ground that the applicant does not have vested right and hence the ^{Original} ~~application itself~~ ^{G.A} is not maintainable. ^{in law} As we have not taken up the admission hearing of the O.A., we are not prepared to enter into the merits ^{of the said contention} ~~So this is not the stage to go into merits of the said contention.~~

4. A representation dated 11.7.1985 had been made by the applicant herein to the respondents herein. There is a lot of correspondence in between the applicant and the respondents ~~which is on record~~ on record and the said representation is not yet disposed of. After hearing both the sides, we feel that it would be just and proper to dispose of this O.A. by giving certain directions.

5. ~~Hence~~ We direct the respondents herein to dispose of the representation of the applicant dated 11.7.1985 within three months from the date of this order, if already had not been disposed of. The applicant would be at liberty to approach this Tribunal afresh if he continues to be aggrieved by the orders passed by the respondents.

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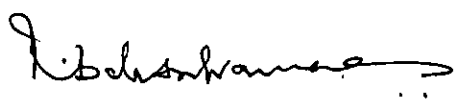
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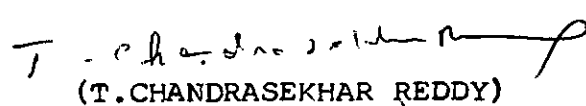
6. M.A.No.1432 of 1991 in ~~this OA 1074/91~~ ~~had~~
~~is withdrawn by the applicant~~ ~~in this G.A~~
filed by the applicant had also come up for hearing
today.

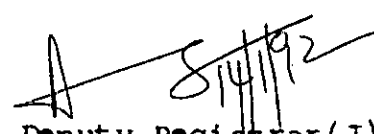
7. We have heard both the sides. In view of the
above orders passed in the OA 1074/91 ~~itself~~, ~~this M.A.~~
~~M-A No 1432/91~~ application becomes unnecessary and hence is rejected.

8. Accordingly, ~~M.A.No.1432/91~~ OA 1074/91 ~~is~~
~~disposed of~~ ~~of the Admn. in M.A.~~ disposed of with the above directions. Parties shall
bear their own costs in these applications.

(Dictated in the open Court)


(R.BALASUBRAMANIAN)
Member (Admn.)


(T.CHANDRASEKHAR REDDY)
Member (Judl.)


Dated: 27th December, 1991. Deputy Registrar (J)

- To
1. The Sr.Divisional Accounts Officer, S.E.Rly, visakhapatnam.
 2. The Financial Advisor & Chief Accounts Officer,
(Survey & Construction), S.E.Railway, Visakhapatnam.
 3. The Divisional Railway Manager, S.E.Railway, Visakhapatnam.
 4. The Financial Advisor & Chief Accounts Officer (Admn.)
S.E. Railway, Garden Reach, Calcutta-43.
 5. One copy to Mr.G.V.R.S.Vara Prasad, Advocate
113/RT, vijayanagar colony, Hyderabad.
 6. One copy to Mr.N.R.Devraj, SC for Rlys, CAT.Hyd.
 7. One spare copy. 8. one copy to Dy. Registrar (J)