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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD

OA 203/92.

Dt. of Order: 16-3-94.

1. G.Prakash
2. A.Kishan

....Applicants

Vs.

1. Union of India rep. by its Secretary to Govt., Dept. of Personal Affairs, Ministry of Home Affairs, Central Secretariat, New Delhi-1.
2. Union Public Service Commission, rep. by its Secretary, Dholpur House, New Delhi.
3. The Selection Committee constituted under Rule 3 of the Indian Forest Service (Appointment by Promotion) Regulation, 1966 rep. by its Chairman, Secretariat Buildings, Hyd.
4. State of A.P. rep. by its Ptl.Secretary to Govt., Energy, Forest, Environment Science & Technology Dept., Secretariat, Hyderabad.
5. Principal Chief Conservator of Forests, Govt., of A.P., Saifabad, Hyd.
6. Mirmasood Ali Khan
7. D.Vasudevamurthy
8. A.Upendra Rao

....Respondents

Counsel for the Applicants : Shri M.P.Chandramouli

Counsel for the Respondents : Shri N.R.Devraj, Sr.CGSC for RR 1 & 2.
Shri D.Pandu Ranga Reddy, Special Counsel for RR 3, 4 & 5.

CORAM:

THE HON'BLE SHRI T.CHANDRASEKHAR REDDY : MEMBER (J)

THE HON'BLE SHRI H.RAJENDRA PRASAD : MEMBER (A)

ORDER

As per Hon'ble Shri T.Chandrasekhara Reddy, Member (Judl.)

This is an application filed under section 19 of the Administrative Tribunals Act to direct the respondents 1 to 5 to review the select lists of Indian Forest Service Officers of the years 1985, 1986, 1987 and 1988 duly considering the names of the applicants after preparing a valid interse seniority list and pass such other order or orders as may deem fit and proper in the circumstances of the case.

2. We have heard today Mr. M.P. Chandra Mouli counsel for the applicant and Mr. N.R. Devaraj standing counsel for the respondents 1 and 2 and Mr. Panduranga Reddy standing counsel for the respondents 3, 4, and 5.

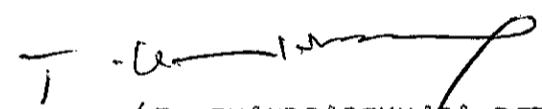
3. During the course of the hearing of this OA it was brought to our notice that the issue relating to interse seniority is between the applicants herein and respondents 6 to 8 in the posts of Assistant Conservators of Forests is pending before State Administrative Tribunal.

The applicants herein had been directly appointed as Assistant Conservator Forests whereas respondents 6 to 8 had been promoted to the post of Assistant Conservator of Forests from the posts of Rangers. The dispute regarding interse seniority in between the applicants and respondents 6 to 8 is not yet resolved by the State Administrative Tribunal. So in view of this position Mr. Chandra Mouli counsel for the applicant made a submission before this Tribunal that he may

be permitted the withdraw, this OA, with permission to file a fresh OA on the very same cause of action this OA had been filed as and when need arises. In view of the submission made by Mr. Chandra Mouli counsel for the applicant, we permit the applicant to withdraw from the OA and we dismiss the OA as withdrawn. Further we permit the applicants to file a fresh OA on the very same cause of action this OA had been filed in accordance with law as and when the seniority list determining the inter se seniority of the applicants and respondents 6 to 8 is prepared by a competent authority and if the same gives rise to cause of action to file OA for the same relief as in this OA.

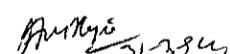

(H. RAJENDRA PRESAD)
MEMBER (ADMN.)

16 MAR 94


(T. CHANDRASEKHARA REDDY)
MEMBER (JUDL.)

Dated : The 16th March 1994.
(Dictated in Open Court)

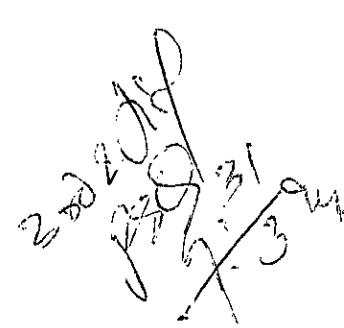
SPR


Deputy Registrar (Judl.)

Copy to:-

1. Secretary to Govt., Dept. of Personal Affairs, Union of India, Ministry of Home Affairs, Central Secretariat, New Delhi-1.
2. Secretary, Dhelphyr House, Union Public Service Commission, New Delhi.
3. Chairman, Selection Committee constituted under Rule 3 of the Indian Forest Service (Appointment by Promotion) Regulation, 1966, Secretariat Buildings, Hyd.
4. Ptl. Secretary to Govt., Energy, Forest, Environment Science and Technology Dept., State of A.P. Secretariat, H
5. Principal Chief Conservator of Forests, Govt. of A.P. Hyd
6. One copy to Sri. M.P. Chandra Mouli, advocate, CAT, Hyd.
7. One copy to Sri. N.R. Devaraj, Sr. CGSC for (R-1&2), CAT, H
8. One copy to Sri. D. Panduranga Reddy, Sp. counsel for AP
9. One copy to Library, CAT, Hyd.
10. One spare copy.

Rsm/-



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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. GORTHI : MEMBER(AD)

AND

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

AND

THE HON'BLE MR. *M. Rajendra Pd.*
~~M. RANGARAJAN~~ : M(ADMN)

Dated: 16/3/-1994

ORDER/JUDGMENT

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

O.A.No.

in
203/92

T.A.No.

(w.p.)

Admitted and Interim Directions
Issued.

Allowed

Disposed of with directions

Dismissed.

Central Administrative Tribunal

DESPATCH

Dismissed as withdrawn.

27 APR 1994

Dismissed for Default

HYDERABAD BENCH

Rejected/Ordered.

No order as to costs.

pvm

G. R. A. M.