

(30)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

DA No.406/92.

Dt. of Order:24-11-92.

N.Prabhakara Reddy

...Applicant

Vs.

1. Director General, All India Radio, New Delhi.
2. Chief Engineer, South Zone, 38/39, Greams Road,
All India Radio, Madras-6.
3. Chief Engineer (Training) S.I.I.(Technical),
Rosary School Marg, Kingsway, Delhi-9.

...Respondents

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Counsel for the applicant : Shri S.Lakshma Reddy

Counsel for the Respondents : Shri N.V.Ramana, Addl.CGSC

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CORAM:

THE HON'BLE SHRI R.BALASUBRAMANIAN : MEMBER (A)

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

(Order of the Divn. Bench passed by Hon'ble
Sri R.Balasubramanian, Member (J)).

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This application is filed with a prayer to
declare the applicant eligible to appear for the Departmental
Competetive examination (held in May, 1992) for promotion of
Sr.Engineering Assistant to Assistant Engineer.

2. The eligibility condition for appearing for the
competetive examination for promotion as Assistant Engineer
is three years service in the feeder cadre viz., Sr.Engineer-
ing Assistant as on 1-10-92. The applicant was among the

....2.

59 persons promoted as Sr. Engineering Assistant vide order No.11/5/DPC/SEA/89¹²⁹ dt.5-9-89 of the Chief Engineer (South Zone), All India Radio and Television, Madras. Eventhough the order was issued on 5-9-89, the applicant was not relieved then. Many persons junior to the applicant were relieved and joined in their respective higher posts. The applicant was relieved only on 6-2-90. On relief from Cuddapah, he immedietly joined at Tirupathi on 7-2-90. It is the contention of Sri S.Lakshma Reddy, counsel for the applicant that if the applicant does not have actually three years service in the feeder cadre as on 1-10-92, it was only on account of administrative convenience of the Respondents. Hence this Original Application.

3. The Respondents in their counter admitted that persons juniors to the applicant were permitted to appear for the competetive examination since they had the requisite service of three years as on 1-10-92. The only reason for the applicant not being considered is that he did not have the requisite service in the feeder cadre as on 1-10-92.

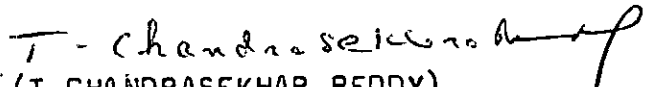
4. We have seen the relieving order of the applicant with reference to the promotion order dt.5-9-89. The applicant was relieved only on the after-noon of 6-2-90 and he had joined in Tirupathi on 7-2-90 after the bare journey time. In these circumstances we have but to hold that the

applicant should be deemed to have three years service as on 1-10-92 like many of his juniors, who were relieved in time and could complete three years of requisite service.

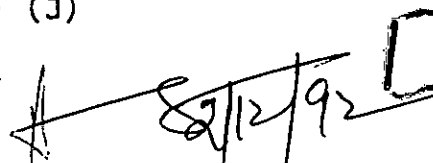
4. By virtue of interim order the applicant had already appeared for the examination. In view of the decision above, the Respondents are further directed to announce the result of the competitive examination and take further action in the light of the results in accordance with the rules. The application is disposed of thus with no order as to costs.



(R. BALASUBRAMANIAN)
Member (A)



(T. CHANDRASEKHAR REDDY)
Member (J)

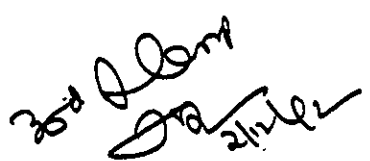

Dated: 24th November, 1992. Dy. Registrar (Judl.)
Dictated in Open Court.

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Copy to:-

1. Director General, All India Radio, New Delhi.
2. Chief Engineer, South Zone, 38/39, Greams road, All India Radio, Madras-6.
3. Chief Engineer (Training) S.T.I. (Technical), Rosary School Marg Kingsway, Delhi-9.
4. One copy to Sri. S. Lakshma Reddy, advocate, CAT, Hyd.
5. One copy to Sri. N.V. Ramana, Addl. CGSC, CAT, Hyd.
6. One spare copy.

Rsm/-


20/11/92

O.A. 406/92

TYPED BY

COMPARED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CHECKED BY

APPROVED BY

HYDERABAD BENCH

HYDERABAD

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH: AT HYDERABAD

THE HON'BLE MR.

V.C.

AND

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

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY: M(J)

AND

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

Dated: 24/11/1992

ORDER/JUDGMENT:

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

O.A.No.

T.A.No.

(W.P.No.)

Admitted and Interim Directions issued

Allowed

Disposed of with directions

Dismissed

Dismissed as with drawn

Dismissed for default

M.A. Ordered/Rejected

No order as to costs.

pvm.

