

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

O.A.NO. 59/92.

Date of Order: 28-1-92.

Between:

Dr.P.Amruth Rao.

Applicant.

and

1. The
Ordinance Factories, Ministry of Defence
Govt. of India, 10-A Auckland Road,
Calcutta- 700 001

2. The General Manager, Ordinance Factory Projects,
Ministry of Defence, Govt. of India,
Yeddumailaram Medak Dist. 502 205.

Respondents.

For the Applicant: Mr. C.Narendar, Advocate

For the Respondents: Mr.M.Jaganmohan Reddy, Addl. CGSC.

CORA M:

THE HON'BLE MR.T.CHANDRA SEKHAR REDDY : MEMBER(JUDL)

The Tribunal made the following Order:-

Heard both sides. This is an application filed under Section 19 of the Administrative Tribunals Act by the applicant herein who had been working as Short Term Medical Officer in the Director General, Ordinance Factory. It is the case of the applicant that he had been appointed in the month of January, 1990 and with some artificial breaks that he had been working till 31-12-1991 on which date the applicant's services are said to have been terminated by the respondent. The ~~respondent~~ appointment order of the applicant indicates, purely on adhoc basis the applicant had been taken. Eventhough the applicant's services had been terminated on 31-12-91, the applicant before approaching this Tribunal had not exhausted the remedies open to him under the service Rules. Confronted with this position, the learned counsel Mr.C.Narendar appearing for the applicant very fairly conceded that he would be satisfied if the applicant is permitted to make a representation to ^{the} Competent Authority for the redressal of his grievance and the said Competent Authority is directed to dispose of the representation within a specified period. Hence to protect the interest of both the parties I am of the opinion that this O.A. can be disposed of at the admission stage itself by giving appropriate directions.

Hence we permit the applicant to make a representation to the competent Authority within a week from the date of the receipt of this order for redressal of his grievance. On such representation being made to the Competent Authority, the Competent Authority shall receive the said representation and dispose of the ~~the~~ ~~applicant continues to be~~

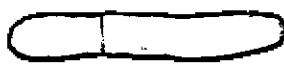
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same within 2 months thereafter. If the applicant continues to be aggrieved by the decision of the Competent Authority of his representation, it will be open to the applicant to approach this authority in accordance with law.

Admittedly the applicant had been working on artificial breaks as the applicant's counsel puts it as artificial breaks from the past 2 years. It is also the contention of the learned counsel for the applicant that the vacancies that are available with the respondent are not filled up by regular appointments. So he presses for an interim direction to the respondent to take back the applicant as short term Medical Officer and to continue him in service, till his representation is decided. In view of the said position we direct the respondent to take back the applicant as short term Medical Officer and to continue him in service till one week after his representation is decided, provided there is a vacancy, and if the vacancies had not already been filled up by regular recruitment.

The application is disposed of accordingly at the admission stage with the above said directions and interim relief.


Deputy Registrar (J)



To

1. The Director General,
Ordinance Factories, Ministry of Defence
Govt. of India, 10-A, Auckland Road, Calcutta- 700 001.
2. The General Manager, Ordinance Factory Projects,
Ministry of Defence, Govt. of India,
Yeddumailaram, Medak Dist. 502 205.
3. One copy to Mr. C.Narender, Advocate, CAT.Hyd.Bench.
4. One copy to Mr.M.Jaganmohan Reddy, Addl.CGSC. CAT.Hyd.
5. One spare copy.

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29/11/92

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.

V.C.

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

AND

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

AND

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

DATED: 28-1-1992 ✓

ORDER/JUDGMENT:

Central Administrative Tribunal
DESPATCH

R.A./C.A./ M.A.Nc.

30-1-92 Sur

In HYDERABAD BENCH.

O.A.Nc. 59/92 ✓

T.A.No.

(W.P.No.)

Admitted and interim directions
issued.

Allowed

Disposed of with directions.

Dismissed

Dismissed as withdrawn

Dismissed for Default.

M.A. Ordered/ Rejected

No order as to costs.

DATE.

29/1/92