

24

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH  
AT HYDERABAD

O.A.No.637/92

Date of Decision:21.9.92

Between

1. V. Kishan

2. A. Sudhakar

.. Applicants

And

1. Govt. of India rep by  
Secretary to Govt.,  
Deptt. of Personnel Affairs,  
Min. of Home Affairs  
Central Secretariat  
NEW DELHI

2. Union Public Services Commission  
rep by its Secretary  
Dholpur House  
NEW DELHI

3. The State of Andhra Pradesh  
rep by Principal Secretary to Govt.,  
Energy,Forests,Environmental Science  
and Technology Deptt  
Secretariat Bldgs.,  
HYDERABAD

4. The Principal Chief Conservator  
of Forests,Andhra Pradesh  
Saifabad, Hyderabad

5. G.Vidya Sagar,  
Asst.Conservator of Forests &  
Wild Life, Hyderabad

.. Respondents

Counsel for the Applicants : Mr Y.Suryanarayana

Counsel for the Respondents : Mr Jagan Mohan Reddy  
SC for R-1&2

Mr D.Panduranga Reddy  
SC for R-3&4

CORAM:

HON'BLE SHRI T. CHANDRASEKHARA REDDY, MEMBER(JUDL.)

T. C. R. f. 2..

25

ORDER OF THE SINGLE MEMBER BENCH DELIVERED BY  
HON'BLE SHRI T. CHANDRASEKHARAREDDY, MEMBER(JUDL.)

This is an application filed under Section 19 of the Administrative Tribunals Act to give direction to the respondents, not to send proposals for promotion to AP cadre of the IFS on the basis of the list prepared by the Selection Committee, at its meeting held on 16.3.92 at Hyderabad, which is said to have been approved by the Union Public Service Commission vide its letter dated 24.4.92 and pass such other orders as may deem fit add proper in the circumstances of the case.

2. The facts giving rise to this OS in brief are as follows:

The applicants herein ~~xxx xxxx~~ were selected by the AP Public Service Commission and were appointed as Assistant Conservator of Forests by method of direct recruitment by the Govt. of Andhra Pradesh on 28.2.80 and 23.11.82 respectively. The first inter-se seniority list of direct recruits and the promotees was published on 11.9.75. In the said list, the inter-se seniority of officers appointed upto 6.9.71 was fixed. The said list was revised in the year 1986. There was no seniority list prepared or published subsequent to 1971.

3. While so, with regard to the dispute of seniority between the direct recruits and the promotees in the post of Asst. Conservator of Forests, RP 3183/88 seems to have been filed in the AP Administrative Tribunal. In the said RP stay order had been passed on 7.10.91. The operative portion of the stay order in the said RP reads as follows:

"Pending publication of the final seniority list of Assistant Conservator of Forests, the Respondents are directed not to promote any person from the category of Assistant conservator of Forests to that of Deputy Conservator of Forests."

4. The grievance of the applicants is that even though the said stay orders are in force, that the Government of

T. C. a. f.

To

1. The Secretary to Govt.,  
Govt. of India, Dept. of Personnel Affairs,  
Ministry of Home Affairs, Central Secretariat,  
New Delhi.
2. The Secretary, Union Public Service Commission  
Dholpur House, New Delhi.
3. The Principal Secretary to Govt. Energy,  
Forests, Environmental Science, and Technology Dept.,  
State of A.P. Secretariat Building, Hyderabad.
4. The Principal Chief Conservator of Forests,  
A.P. Saifabad, Hyderabad.
5. One copy to Mr. Y. Suryanarayana, Advocate, CAT. Hyd.
6. One copy to Mr. M. Jaganmohan Reddy, Addl. CGSC. CAT. Hyd.
7. One copy to Mr. M. Panduranga Rao, Advocate, for R.5. CAT. Hyd.
8. One spare copy.
9. One copy to Mr. D. Panduranga Reddy, Spl. Counsel for AP state,  
pvm. CAT. Hyd.

Q. 19  
7.12.74

Andhra Pradesh is sending proposals for appointment by promotion to AP Cadre of IFS on the basis of the list prepared by the Selection Committee, at its meeting held on 16.3.92 at Hyderabad which list was approved by the Union Public Service Commission in its letter dated 24.4.92. So, the present OA is filed for the relief as already indicated above.

5. Today, we have heard Mr P. Naveen Rao, for Mr Y. Suryanarayana, for the applicants and Mr. Jagan Mohan Reddy, Standing Counsel for Respondents 1 & 2. and Mr D. Panduranga Reddy SC for respondents 3 & 4.

6. During the course of hearing of this OA, an order dated 8.9.92 of the Administrative Tribunal, Hyderabad was filed before this Tribunal, showing that the stay orders dated 7.10.91 passed by the AP Administrative Tribunal had been vacated. As the stay orders dated 7.10.91 had been vacated, it is left to the State Government of Andhra & Pradesh to act in accordance with rules and regulations in the matter.

7. So far this Tribunal is concerned, there is nothing to be adjudicated at this stage, in view of the allegation in this OA and hence, this OA is liable to be rejected and hence, we reject the OA under Section 13(3) of Administrative Tribunals Act, leaving the parties to bear their own costs.

*T. Chandrasekhara Reddy*  
(T. CHANDRASEKHARA REDDY)  
Member (Judl.)

Dated: 21st Sept., 1992

(Dictated in the Open Court)

*8/11/92*  
Deputy Registrar (J).

sk

*Qx*

perap  
a  
TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : HYDERABAD

THE HON'BLE MR

AND

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: 21 - 9 - 1992

ORDER/JUDGMENT:

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

in

O.A.No.

637/92

T.A.No.

(wp.No )

Admitted and interim directions  
issued.

Allowed

Disposed of with directions

~~Dismissed~~

Dismissed as withdrawn

Dismissed for default

M.A. Ordered/Rejected

No orders as to costs

Central Administrative Tribunal  
DESPATCH

18 NOV 1992

HYDERABAD BENCH