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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A. 687/92.

Dt. of Decision : 28.12.94.

K. Krishnam Raju

.. Applicant.

Vs

1. Union of India rep. by
its Secretary to Govt. of India,
Ministry of Mines, Shastri Bhavan,
New Delhi.
2. The Director General,
Geological Survey of India,
27, Jawaharlal Nehru Road,
Calcutta-700 016.
3. The Dy. Director General, (P)
Geological Survey of India,
27 J L N Rd., Calcutta-16.

.. Respondents.

Counsel for the Applicant : Mr. V. Venkateswara Rao

Counsel for the Respondents : Mr. N. R. Devaraj, Sr. CGSC.

CORAM:

THE HON'BLE SHRI JUSTICE V. NEELADRI RAO : VICE CHAIRMAN

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

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OA 687/92.

JUDGMENT

Dt: 28.12.94

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE-CHAIRMAN)

Heard Shri V.Venkateswara Rao, learned counsel for the applicant and Shri N.R.Devaraj, learned standing counsel for the respondents.

2. This OA is filed praying for direction to the respondents to include the name of the applicant in the panel dated 18.5.1992 issued by R-1 for promotion to the post of Director (Geology) by declaring the letter No.284/A-32013/1-DIR(G)/92/19A/Vol.III, dated 24.7.1992 issued by R-3 as illegal, arbitrary and unconstitutional and to quash the same by holding that the applicant is entitled for promotion to the post of Director (Geology) with effect from the date on which his immediate juniors as per the gradation list of Geologists (Sr.) issued on 1.10.1990 ie., Shri Premnarayana Singh and Dr. A.K.Paul, were promoted with all consequential benefits such as seniority, arrears of salary, ^{and} allowances, promotion etc.

3. The applicant was working as Geologist (Sr.) by the date of this OA. Promotion to the post of Director (Geology) is from among Geologists (Senior)

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on the basis of selection. The panel dated 18.5.92 was prepared in regard to 153 as a number of vacancies in the category of Director (Geology) had arisen due to the cadre restructuring. Shri P.N. Singh and Dr. A.K.Paul who are juniors to the applicant in the cadre of Geologists (Senior) were also included in the said panel. But the name of the applicant did not find a place in the said panel.

4. When the applicant made a representation requesting for his inclusion in the panel as his juniors were empanelled, the same was rejected as per the letter dated 24.7.1992 communicated through the 3rd respondent.

5. This OA was filed praying for including the name of the applicant in the panel for promotion to the post of Director (Geology), by challenging the panel which was prepared on 18.5.1992. The said panel is assailed on various ~~xxx~~ grounds. OA 369/92 was filed by Shri V.Balachandran on the file of Bangalore Bench challenging the said panel. The grounds raised therein for attacking the said panel are said to be similar to the grounds raised in this OA, even according to the learned counsel for the applicant.

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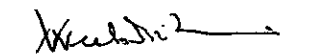
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6. OA 369/92 was dismissed by the order dated 7.12.1993 by holding that there are no infirmities in the selection process.

7. In view of the above order of the Bangalore Bench, this OA is ~~dismissed~~ dismissed subject to the right of the applicant herein to file a Review Application in OA 369/92 if he is so advised. No costs./


(R. RANGARAJAN)
MEMBER (ADMN.)


(V. NEELADRI RAO)
VICE CHAIRMAN

DATED: 28th December, 1994.
Open court dictation.


Deputy Registrar (J)CC

vsn

To

1. The Secretary to Govt. of India,
Union of India, Ministry of Mines, Sastri Bhavan,
New Delhi.
2. The Director General, Geological Survey of India,
27, Jawaharlal Nehru Road, Calcutta-16.
3. The Deputy Director General, (P)
Geological Survey of India, 27 J. L.N. Road,
Calcutta-16.
4. One copy to Mr. V. Venkateswar Rao, Advocate, CAT. Hyd.
5. One copy to Mr. N. R. Devraj, Sr. CGSC, CAT. Hyd.
6. One copy to Library, CAT. Hyd.
7. One spare copy.

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P. L. S. 12/12/94