

(21)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

DA.726/92

Date of decision : 21-9-92

Between

Ch. Iyalaiah.

: Applicant

and

Govt. of India, represented by

1. The Secretary to ~~Govt.~~
Dept. of Environment & Forests
Central Secretariat
New Delhi

2. Union Public Service Commission rep. by
The Secretary,
UPSC, Dholpur House
New Delhi

3. The State of Andhra Pradesh, rep. by
the Principal Secretary to Govt.
Energy, Forests, Environmental Science &
Technology Department
Sectt. Bldgs, Hyderabad

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

: Respondents

Counsel for the Applicants

: P. Naveen & Y. Suryanarayana, Advocates

Counsel for the Respondents

: M. Jagan Mohan Reddy
SC for R-1 & 2
D. Panduranga Reddy, F
SC for R-3&4

CORAM

HON. MR. T. CHANDRASEKHARA REDDY, MEMBER(JUDL.)

JUDGEMENT

(As per Hon. Mr. T. Chandrasekhara Reddy, Member(Judl.))

This is an application filed under Section 19 of the
Administrative Tribunals Act, to give direction to the

T. C. n/t

20/2

Y respondents not to send proposal 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 in its letter dated 24-4-92 and pass such other orders as may deem fit and proper in the circumstances of the case.

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

The applicant herein was appointed as Assistant Conservator of Forests by method of direct recruitment by the Government of Andhra Pradesh on 30-10-82. The first interse seniority list of direct recruits and the promotees was published on 11-9-75. In the said list, the interse 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 Assistant Conservator of Forests, RP 3163/88 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 applicant is that even though the said stay orders are in force that the Government of 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

To

1. The Secretary to Govt. Union of India,
Dept. of Environment & Forests,
Central Secretariat, New Delhi.
2. The Secretary, Union Public Service Commission
Dholpur House, New Delhi.
3. The Principal Secretary to Govt.
State of A.P. Energy, Forests, Environmental
Science & Technology, Department,
Secretariat, Buildings, 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. D. Panduranga Reddy, Spl. Counsel for A.P. Govt.
CAT. Hyd.
8. One spare copy.

After 5 days
pvm.

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 Jagann Mohan Reddy, Standing Counsel for Respondents 1 & 2 and Mr D. Panduranga Reddy, Standing Counsel for Respondents 3 & 4.

6. During the course of hearing of this OA order dated 8.9.92 of the AP 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 19(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)

23/10/92
Deputy Registrar (J)

sk

22/10/92

TYPED BY (u) COMPARED BY

CHECKED BY APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : HYDERABAD

THE HON'BLE MR

AND

THE HON'BLE MR. K. 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.N.

in

O.A. No. 726 / 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

29 OCT 1992

HYDERABAD BENCH

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9/23 ✓