

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

71

ORIGINAL-APPLICATION-NO.9-ef-1993

AND

ORIGINAL-APPLICATION-NO.948-ef-1994

DATE-OF-ORDER:- 28th-February, 1997

BETWEEN:

O.A.NO.9-ef-1993

1. Sq.Syed Mazsood Ahmed,
2. M.Rama Rao

APPLICANTS

AND

1. The Senior Divisional Personnel Officer,  
South Central Railway, Vijayawada,
2. The Divisional Railway Manager,  
S.C.Railway, Vijayawada,
3. Sri A.Thomas,
4. Sri Winston Syam,
5. Sri T.Neelaiah,
6. Sri G.Abraham.

.. RESPONDENTS

O.A.NO.948/94

V.VENKATESWARULU

.. APPLICANT

and

1. The Senior Divisional Personnel Officer,  
S.C.Railway, Vijayawada,
2. The Sr.Divisional Electrical Engineer,  
Traction Division, S.C.Railway,  
Vijayawada,
3. The Chief Personnel Officer,  
S.C.Railway, Secunderabad,
4. M.Winston Syam

.. RESPONDENTS

COUNSEL FOR THE APPLICANTS: Mr.G.V.SUBBA RAO IN BOTH OAs.

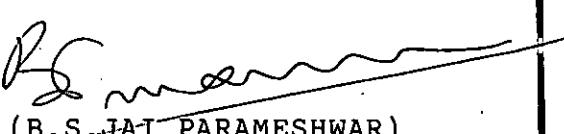
COUNSEL FOR THE RESPONDENTS: Mr.N.R.DEVARAJ,Sr.CGSC in OA  
No.9/93

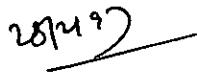
Mr.D.F.PAUL, Addl.CGSC in  
O.A.NO.948/94

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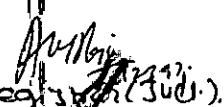
memo

the impugned letter dated 26.11.92. In case it was not properly implemented, the proper course <sup>for</sup> of the applicants was to file an application for implementation of the order. They are not entitled to file a fresh OA. The learned counsel for the applicants submit that the applicants in OA 922/88 had not qualified in selection and hence inclusion of their names in the impugned order dated 26.11.92 deleting ~~names~~ the applicants in these two OAs are improper. He further submits that a contempt petition was filed wherein the official respondents <sup>had</sup> accepted that the applicants in OA 922/88 had not passed the examination and because of that the present OA is filed. If the respondents are not submitting the correct facts and the facts given in the CP and the present OA are different, then the applicants have to take different channel applicable to them as per the law. Filing these two OAs is not <sup>the</sup> remedy to set right the irregularities, if any, committed by the respondents. Hence we are of the opinion that these two OAs are not maintainable. Hence both the OAs are dismissed as not maintainable. However this will not stand in the way of <sup>appropriate</sup> the applicants to initiate fresh proceedings in accordance with law. No order as to costs.

  
(B.S.JAI PARAMESHWAR)  
MEMBER (JUDL.)

  
28/2/97

  
(R.RANGARAJAN)  
MEMBER (ADMN.)

  
28/2/97  
Dy. Registrar (JUDL.)

DATED:- 28th February, - 1997  
Dictated in the open court.

vsn

28/4/97

10

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TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWARI: M(J)

DATED: 28/4/97

ORDER/JUDGEMENT

D.A./C.P./M.A.NO.

D.A.NO. 9193 & 94894

ADMITTED AND INTERIM DIRECTIONS ISSUED  
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

II COURT

YLKR

10

