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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.58/93

Date of Order: 26.2.1993

BETWEEN:

B.Giribabu

.. Applicant.

A N D

1. Assistant General Manager (Admn.)
Office of Chief General Manager,
Telecommunications, Andhra Pradesh,
Hyderabad.

2. Deputy Divisional Engineer,
Telecommunications, Nellore-524 050.

.. Respondents.

Counsel for the Applicant

.. Ms. Vijaya Lakshmi
for
Mr. S. Lakshma Reddy

Counsel for the Respondents

.. Mr. N. R. Devraj,
S. C. & Co.

CORAM:

HON'BLE SHRI N. V. KRISHNAN, VICE-CHAIRMAN (ADMN.) AHMEDABAD BENCH

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

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Order of the Division Bench delivered by
Hon'ble Shri N.V.Krishnan, Vice-Chairman (Admn.).

Ms. VijayaLakshmi for Mr. S. Lakshma Reddy, Advocate
for the Applicant and Mr. N.R. Devraj, Standing Counsel for
the respondents.

2. This matter came up for admission on 24.2.1993.
^{as of} When we express ^{the} the view ~~on~~ the main question involved is
whether the applicant is the adopted son of the deceased
Sri Chalapathi Rao who was an employee under the 2nd respondent
and who died on 4.4.1985. A request was made on behalf of the
applicant, by Mrs. K. Syamala wife of the late Sri K.V. Chalapathi
Rao, the deceased Government employee, seeking an employment for
the applicant ^{on the} ~~and~~ consideration that he is the adopted son.

3. The learned counsel for the respondents ^{sted} ~~contended~~
this claim stating that there was no evidence what ^{so} ~~ever~~ of
the applicant having ^{been} adopted by the deceased Government employ-
ee and his wife.

4. We were of the view that the question whether the
applicant was an adopted son ^{I have to} ~~be~~ will/be decided by a competent
Civil Court and therefore we granted time to learned counsel
for the applicant to make ^{her} ~~his~~ submissions in this above.

5. ^{When} ~~In~~ the case ^{was} ~~of~~ taken up today for orders on admission,
learned counsel for the applicant sought permission to withdraw
this application to enable the applicant to institute proceedings
in the Competent Civil Court for declaration about the adoption
of the applicant by the deceased Government employee and his
wife. The applicant also prays that he should be left with
liberty to ^{approach} ~~approach~~ to make an application to the respondents
for compassionate appointment, after a declaration, obtained in
his favour and a further direction to the respondents not to

To

1. The Assistant General Manager (Admn.)
O/o Chief General Manager,
Telecommunications, A.P.Hyderabad.
2. The Deputy Divisional Engineer,
Telecommunications, Nellore-050.
3. One copy to Mr.S.Lakshma Reddy, Advocate, CAT.Hyd.
4. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
5. One spare copy.

pvm

Handwritten: 1. Ram
Date 11/10/83


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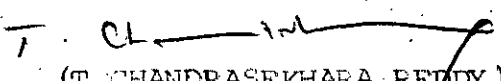
reject the representation, if made in such circumstances, on the only ground that is barred by time.

6. In view of this special circumstances, we grant the permission to the applicant to withdraw this application to enable him to file a suit in the Competent Civil Court, in which the respondents in the present applicant shall also be impleaded as interested parties and, in case a declaration is obtained by the applicant in his favour, it is open to him to submit a fresh application to the respondents for granting him compassionate appointment. In case such an application is received, the respondents shall consider the application in accordance with law, without rejecting him on the only ground that it is ^{badly} ~~highly~~ delayed.

7. In view of the facts and circumstances of the case, we permit the applicant to approach this Tribunal once again, if needed, on the same cause of action ^{on which} ~~as~~ this O.A. is filed.

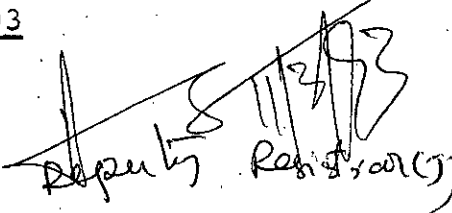
8. O.A. is dismissed as withdrawn, with no order as to costs.


26/2/93
(N.V. KRISHNAN)
Vice-Chairman (Admn.)


(T. CHANDRASEKHARA REDDY)
Member (Judl.)

Dated: 26th February, 1993

(Dictated in Open Court)


Deputy Registrar

TEMPED BY

COMPALED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

N. V. Krishnan

THE HON'BLE MR. V. NEELADRI RAO :V.C.

AND

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

AND

THE HON'BLE MR. CHANDRA SEKHAR REDDY :MEMBER(J)

AND

THE HON'BLE MR.

DATED: 26-2-1993

~~ORDER~~/JUDGMENT:

R.P./C.P/M.A. No.

in

C.A.No.

58/93

T.A.No.

(W.P.No.

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions

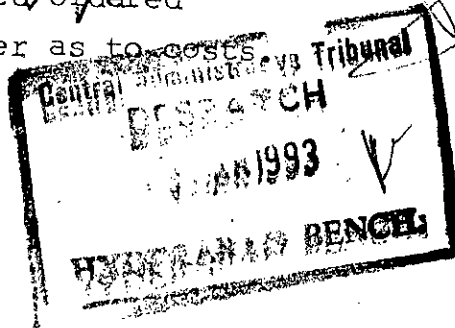
Dismissed as withdrawn

Dismissed

Dismissed for default

Rejected/Ordered

No order as to costs



pvm