

(27)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

D.A. No. 1340/93.

Dt. of Decision : 16-9-94.

Smt. P. Mahalaxmi Devi

.. Applicant.

Vs

1. The Union of India rep.
by its Secretary,
Ministry of Defence,
New Delhi.
2. The General Manager,
Ordinance Factory Project,
Yeddumailaram, Medak.

.. Respondents.

Counsel for the Applicant : Mr. G. Parameswara Rao

Counsel for the Respondents : Mr. V. Bhimanna, Addl. CGSC.

CORAM:

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

THE HON'BLE SHRI A.B. GORTHY : MEMBER (ADMN.)

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O.A.NO.1340/93.

JUDGMENT

Dt: 16.9.94

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

Heard Shri G.Parameswara Rao, learned counsel for the applicant and Shri V.Bhimanna, learned standing counsel for the respondents.

2. The applicant herein was appointed as LDC on compassionate grounds on 14.11.1986. In 1985, a panel was prepared for 82 for the posts of LDCs on the basis of direct recruitment. First 41 out of the said panel were appointed prior to 14.11.1986 and ^{when} the appointments were not given to those in the said panel from Sl.No. 42 even though vacancies had arisen, They filed OA 327/89 and other OAs before this Bench. By relying upon the O.M.No.22011/2/79-Estt.(d), dated 3.2.1982, this Bench held in OA 327/89 ~~that~~ and others that till the panel is exhausted, there should not be any fresh selection. Accordingly, those who were in the said panel were appointed.

3. In the seniority list of LDCs as on 1.4.1993 which was communicated by R-2 by the letter dated 4.8.1993, the applicant was shown

contd....

To

1. The Secretary, Union of India,
Ministry of Defence, New Delhi.
2. The General Manager, Ordinance Factory Project,
Yeddumailaram, Medak.
3. One copy to Mr.G.Parameswar Rao, Advocate, CAT.Hyd.
4. One copy to Mr.V.Bhimanna, Addl.CGSC. CAT.Hyd.
5. One copy to Library, CAT.Hyd.
6. One spare copy.

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as junior to those who were in the 1985 panel and who were appointed as LDCs from 1989 onwards in pursuance of the judgment of this Bench in OA 327/89 and others. The same is assailed by the applicant in this OA.

4. While the applicant contends that the date of appointment should be taken as the basis for fixation of seniority, it is stated for the respondents that the date of the panel is the criterion for fixation of seniority. Same point had arisen for consideration in OA 1339/93. Therein, we upheld the plea of the respondents therein. For the reasons stated therein, the contention for the applicant is negatived and hence this OA is liable to be dismissed./

5. In the result, the OA is dismissed.

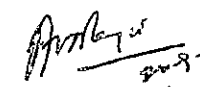
No costs./


(A.B. GORTHI)
MEMBER (ADMN.)


(V. NEELADRI RAO)
VICE CHAIRMAN

DATED: 16th September, 1994.
Open court dictation.

vsn


Deputy Registrar (DCC)

TYPED BY CHECKED BY

COMPARED BY APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE-CHAIRMAN

AND

A. B. Gorthi

THE HON'BLE MR. ~~R. RANGARAJAN~~ : M (J.D.M.)

DATE: *16-9-1994*

ORDER/JUDGMENT

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

NO SPARE COPY

in

O.A.No. *1340/93*

(T.A.No.

(W.P.No.)

Admitted and Interim directions
Issued.

Allowed.

Disposed of with directions.

Dismissed

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected

No order as to costs.

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