

Judgement

( As per Hon. Mr. P.T. Thiruvengadam, Member (Admn.)

Heard Sri B. Bhaskara Rao, learned counsel for the applicant and Sri D. Gopala Rao, learned counsel for the respondents.

2. The applicant is working as Highly Skilled Grade I, Electrical Fitter in Vijayawada Division of South Central Railway. The first respondent issued a notification B/P.608/II/TRS/Vol.3 dated 14-11-1991, for selection of Apprentice Mechanics in Traction Rolling Stock Department (TRS Deptt.) from among the volunteers of TRS staff to who fulfill the requisite qualification. The notification was for filling up four vacancies which comprised two OCs, one SC and one ST vacancy, as per the notification. After holding the written test and interview, a panel containing three names was announced on 1-10-1992 and the panel consisted of two OCs and one SC candidate. This was followed by a letter from DRM, <sup>Vijayawada</sup> Bejawada, to CPD, Secunderabad, vide No.8/P.608/II/TRS/Vol.III, dated 18/23-12-1992, wherein approval of the competent authority was sought for filling up the fourth vacancy by OC candidate against the lapsed point of ST candidate. A reminder was sent by DRM, Vijayawada, to CPD in DRM's letter dated 4-2-1993.

3. The applicant's name did not figure in the panel announced on 1-10-1992. The applicant pleads that the reservation for the ST Point is not in order and that he had secured third position among the OC candidates in the selection. It is also the contention of the applicant that the ST Point was shown erroneously as the backlog of ST point was already lapsed and hence the fourth position

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in the panel should also be thrown open to the OC candidates. The applicant has submitted a representation dated 21-9-1993 to the authorities and has also filed this OA with a prayer for a declaration that the action of the respondents in not appointing him as an Apprentice Mechanic as illegal, arbitrary, unjust, improper and contrary to the Rules.

4. As this OA has been filed even before expiry of six months from the date of representation, namely 21-9-1993, we feel it proper to direct the R-1 to dispose of the representation within one month from the date of receipt of this order, instead of ourselves considering the same on merits. We also direct, pending disposal of the said representation, the fourth post as per the notification shall not be filled up if it is not yet filled up.

5. It is needless to say that if the applicant is aggrieved by the disposal of his representation by the order in that representation, he is at liberty to approach this Tribunal.

6. The OA is disposed of at the admission stage.  
No costs.

P. J. 2  
(P.T. Thiruvengadam)  
Member (Admn)

(V. Neeladri Rao)  
Vice Chairman

Dated : October 11, 93  
Dictated in the Open Court

sk

8/10/93  
Dy. Registrar (Judl.)

cmtd - - - 4/-

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Copy to:-

1. Senior Divisional Personnel Officer, South Central Railway, Vijayawada.
2. Chief Personnel Officer, South Central Railway, Rail Nilayam, Secunderabad.
3. Divisional Railway Manager, South Central Railway, Vijayawada.
4. One copy to Sri. B. Bhaskara Rao, advocate, CAT, Hyd.
5. One copy to Sri. D. Gopala Rao, SC for Railways, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

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Rem/-

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C.G. by  
18/10/93 C.C.T. Vojen  
O.A. 1236/93

TYPED BY

COMPARED BY

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

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

AND

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

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY  
MEMBER (JUDL)

AND

THE HON'BLE MR. P. T. TIRUVENGADAM : M (A)

Dated: 11/10/-1993

ORDER/JUDGMENT:

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

in

O.A.No.

1236/93

T.A.No.

(W.P.)

☒ Admitted and Interim directions  
issued

☒ Allowed.

☒ Disposed of with directions *W.I. admin*

☒ Dismissed. *Non Stage*

☐ Dismissed as withdrawn

☐ Dismissed for default.

☐ Rejected/Ordered.

☒ No order as to costs.

Central Administrative Tribunal  
DESPATCH  
26 OCT 1993  
HYDERABAD BENCH.

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