

(24)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH  
AT HYDERABAD

O.A.No.1272/93

Date of Order:12.10.93

M.Shiva Ganesh Kumar

.. Applicant

1.The Chief Personnel Officer Rail Nilayam,  
South Central Railway,Secunderabad.

2.The Sr.Divl.Personnel Officer (BG)  
South Central Railway,  
Sanchalan Bhavan,  
Secunderabad.

3.The Sr.Divl.Railway Manager (BG.),  
South Central Railway,  
Sanchalan Bhavan,  
Secunderabad.

.. Respondents

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Counsel for the Applicant : Mr.M.V.K.Viswanadham

Counsel for the Respondents : Mr.N.R.Devaraj  
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CORAM:

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

THE HON'BLE MR.P.T.THIRUVENGADAM : MEMBER (ADMN.)

DRS

Copy to:-

1. The Chief Personnel Officer, Rail Nilayam, South Central Railway, Secunderabad.
2. The Sr. Divisional Personnel Officer(BG), South Central Railway, Sanchalan Bhavan, Secunderabad.
3. The Sr. Divisional Railway Manager(BG), South Central Railway, Sanchalan Bhavan, Secunderabad.
4. One copy to Sri. M.V.K.Viswanadham, advocate, "Sindhu", 8-3-678/69, Pragathi nagar, Yousufguda, Hyd.
5. One copy to Sri. N.R.Devaraj, SC for Rlys, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

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P.L.O.  
7.4.93

O.A.No.1272/1993.

Date: 12.10.1993.

J U D G M E N T

[ as per Hon'ble Sri Justice V.Neeladri Rao, Vice-Chairman ]

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The applicant is working as Substitute <sup>Instructor in</sup> Physical Training/  
Railway High School (EM), Kazipet. This O.A. was filed  
praying for a direction to the respondents to screen the  
applicant for regular absorption as per the directions  
<sup>order dated 16.8.93 in</sup>  
contained in O.A.No.354 of 1993 dt. ~~16.8.1993~~ and batch  
and to declare the action of the respondents in requisitioning  
some more candidates over and above the indents placed earlier by the  
respective divisions with the RRB (Railway Recruitment Board) ignoring the  
claims of the Substitutes as arbitrary, bad and illegal.

2. Heard Sri M.V.K.Viswanadham, learned counsel for the applicant and Sri N.R.Devaraj, learned counsel for respondents.

3. It is evident that the applicant is basing his claim on the basis of the directions contained in order dt. 16.8.1993 in O.A.No.354 of 1993 and batch.

4. In the circumstances, the only order that can be passed in this O.A. is to direct the respondents to consider the case of the applicant in the light of the directions contained in O.A.No.354 of 1993 dt. 16.8.1993 and batch and respondents are precluded from taking any steps which go <sup>issued</sup> against the directions passed in the above O.A. In that view there is no need to consider about the veracities or otherwise of the various facts stated for the applicant in this O.A. The O.A. is ordered accordingly at the admission stage. No costs.

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

V.Neeladri Rao  
(V.Neeladri Rao)  
Vice Chairman

Dated 12th October, 1993.  
Dictated in the open court.