

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.1279 of 1993

DATE-OF-ORDER:-15th November, -1996

BETWEEN:

M.R.NAIK

.. Applicant

AND

1. Govt. of India represented by its
Secretary, Ministry of Personnel & Admve. Reforms,
Central Secretariat, New Delhi,
2. Govt. of Andhra Pradesh represented by its
Chief Secretary, GAD, Hyderabad,
3. Union Public Service Commission represented
by its Secretary, New Delhi. .. Respondents

COUNSEL FOR THE APPLICANT: SHRI M.SURENDER RAO

COUNSEL FOR THE RESPONDENTS: SRI N.R.DEVRAJ SC for R-1 & R3

Sri ~~Ansuresh~~ SC for
A.P.STATE GOVT (R-2)

CORAM:

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

HON'BLE SHRI B.S.JAI PARAMESHWAR, MEMBER (JUDL.)

JUDGMENT

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.))

None for the applicant. None for R-2. Shri
N.R.Devaraj, learned standing counsel for the Respondents 1
and 3 is present and heard.

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2. This OA is filed for the following reliefs:-

(i) to declare that the applicant is entitled for being considered for inclusion in the selection list for being appointed to I.A.S. for the year 1991-92 on the basis of the orders of the Government in G.O.Ms.No.267 to 269 dated 27.3.93 and that the action of the respondents in not sending sofar the proposals for considering the case of the applicant for inclusion in the panel for 1991-92 selection list by the Respondent No.2 is illegal, arbitrary and discriminatory and violative of Articles 14 and 16 of the Constitution of India.


(ii) To declare that the applicant shall be considered in any Review DPC to be held on either 15.10.93 or any other subsequent date for being considered for inclusion in the select list 1991-92 to be appointed to IAS.

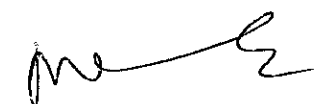
3. On 13.12.94, a letter was addressed to the Registrar of this Tribunal by the then learned standing counsel for R-2 Shri D.Panduranga Reddy stating that this OA had become infructuous in view of the decision of this Tribunal dated 6.10.94 in R.A.Nos.73 and 74/94 in OA 907/94. In view of that, the learned standing counsel for R-2 requested for placing this OA for orders before the Bench. A remark has been made on that letter saying that this may be listed for orders on the basis of that letter

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reported to have been given by the then learned Vice Chairman. Accordingly this OA came up for hearing on 2.1.95 when it was adjourned to 30.1.95 for final hearing at the request for the applicant. Later it came up for hearing on 1.2.95 and 7.2.95 when orders were given for ... On 14.3.95 it was ordered to be posted in usual course. Thus it can be seen that this OA was coming up for hearing a number of times. Today also this OA came up for hearing. The learned counsel for the applicant was not present. Hence we have no other alternative except to dispose of this OA in terms of Rule 15(1) of Central Admve. Tribunal (Procedure) Rules, 1987.

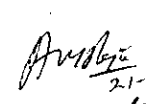
4. The learned standing counsel for R-1 and R-3 states that this OA had become infructuous. As the applicant's counsel is also not present whenever this OA is listed, we feel that no useful purpose will be served by keeping this OA pending any further. Hence we dismiss this OA for default. No costs.


(B.S. JAI PARAMESHWAR)
MEMBER (JUDL.)
15.11.96


(R. RANGARAJAN)
MEMBER (ADMN.)

DATED: -15th-November, -1996
Dictated in open court.

vsn


21-11-96.
Dy. Registrar (S)

Copy to:-

1. The Secretary, Ministry of Personnel & Admve. Reforms, Govt. of India, Central Secretariat, New Delhi.
2. The Chief Secretary, Govt. of Andhra Pradesh, Secretariat, Hyd.
3. ~~XXXXX~~ The Secretary, Union Public Service Commission, New Delhi.
4. One copy to Sri. M.Surender Rao, advocate, CAT, Hyd.
5. One copy to Sri. N.R.Devaraj, Sr. CGSC, CAT, Hyd.
6. One copy to Sri. I.V.R.K.Murthy, SC for A.P. CAT, Hyd. for R-2.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

Rsm/-

Q 12/1/98
MA 1279/93
Typed By
Compared by

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Checked By
Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)
HON Mr B.S. Jai Parmeshwar M(3)

DATED: 15/11/96

ORDER/JUDGEMENT
R.A./C.P./M.A. NO.

O.A. NO.

in
1279/93

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

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II COURT

