

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : AT HYDERABAD.

\* \* \*

M.A. 986/93 in

O.A. 1311/93

Dt. of Decision : 20.12.93

N.V.V. Bhaskar

. . Applicant

Vs

1. Chief General Manager,  
A.P. Telecom Circle,  
Door Sanchar Bhavan,  
Hyderabad.
2. Asstt. Director General,  
Department of Examinations Section,  
Department of Telecom,  
Sanchar Bhavan,  
New Delhi.
3. Secretary,  
Ministry of Communications,  
Sanchar Bhavan,  
New Delhi.

. . Respondents

Counsel for the Applicant : Mr.C.Nageshwara Rao

Counsel for the Respondents : Mr.N.V. Raghava Reddy

CORAM:

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

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

18/12/93  
9/1

MA.986/93 in  
OA.1311/93

Order

~~Heard~~ the learned counsel for the applicant Sri C. Nageshwar Rao, and Sri N.V. Raghava Reddy, learned counsel for the respondents.

2. ~~In the~~ circumstances referred to this amendment application is allowed, as prayed <sup>for</sup> without prejudice to the contention for the respondents, which will be considered in the OA.

3. MA is ordered accordingly.

OA.1311/93

MA.986/93 Amendment ~~Petition~~ is allowed.

2. ~~Admit.~~

3. The applicant joined service originally as LDC in Delhi Administration on 30-11-1987. He was transferred and allotted to Visakhapatnam Telecom District on 9-5-1991 and posted as LDC in Visakhapatnam. For promotion to the post of Accountants/Section Officers, LDCs have to pass Junior Accounts Officer, Part-I & II Examinations. One is eligible <sup>to appear for the same,</sup> on completion of three years of service. When the applicant applied for the said examination he was not permitted on the ground that he has not completed three years of service in Telecom, Visakhapatnam, the requisite period prescribed as per Rule 9G of Junior Accounts Officers Service, Telecommunication Wing (Group C) Recruitment (Amended) Rules, 1986. The contention for the applicant is that the said rule is illegal as it excludes the earlier service of the employees who were appointed in Telecom on transfer and <sup>if his</sup> as earlier service in Delhi Administration

22/8/93

is also taken into consideration he completed three years of service as LDC and hence he is eligible for appearing for the Junior Accounts Officer, Part-I Examination.

4. (3) It is stated that the examination in regard to the Junior Accounts Officer Part I is going to be held from 7th to 9th January, 1994. The validity of Rule 9G of the rules referred to is a matter for consideration in the OA. We feel that the balance of convenience is in permitting the applicant to appear for the said examination by directing that his result should not be published until further orders in this OA.

5. (4) Accordingly the following interim ~~interim~~ direction is ordered :

The respondent-1 has to permit the applicant to appear for the Junior Accounts Officer Part I examination to be held from 7th to 9th January, 1994; but until further orders his results in regard to the said examinations should not be published.

(R. Rangarajan)  
Member (Admn)

(V. Neeladri Rao)  
Vice-Chairman

Dated : December 20, 93  
Dictated in the Open Court Deputy Registrar(J)

To

1. The Chief General Manager A.P. Telecom Circle, Door Sanchar Bhavan, Hyderabad.
2. <sup>sk</sup> The Asst. Director General, Dept. of Examinations Section, Dept. of Telecom, Sanchar Bhavan, New Delhi.
3. The Secretary, Min. of Communications, Sanchar Bhavan, New Delhi.
4. One copy to Mr. C. Nageswara Rao, Advocate, CAT. Hyd.
5. One copy to Mr. N. V. Raghava Reddy, Addl. CGSC. CAT. Hyd
6. One spare copy.

pzm

(27)

O.C. today

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : 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(J)

AND

THE HON'BLE MR. R. RANGARAJAN : MEMBER(A)

Dated: 20-11-1993

ORDER/JUDGMENT:

*[Signature]*

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

O.A.No.

MA. in 986/93

T.A.No.

1311/93

(W.P.)

Admitted and Interim directions  
issued.

Allowed.

Disposed of with directions

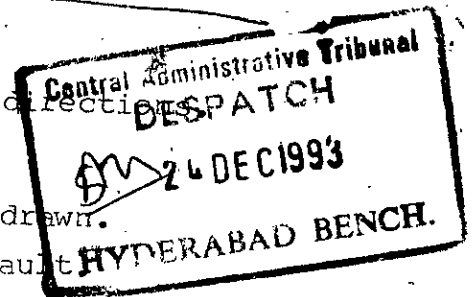
Dismissed.

Dismissed as withdrawn.

Dismissed for default

Rejected/Ordered.

No order as to costs.



pvm

*[Signature]*  
1.23  
4/13