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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

DA.140/93

date of decision : 26-2-93

Between

G. Chandrasekhara Reddy : Applicant

and

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

2. The Dy. Chief Mechanical Engineer
Carriage Repair Shop
South Central Railway
Tirupati

3. The Workshop Personnel Officer
Carriage Repair Shop
South Central Railway
Tirupati

: Respondents

Counsel for the applicant

: P. Krishna Reddy, Advocate

Counsel for the respondents

: C. VenkataMalla Reddy,
SC for Railways

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HON. MR. JUSTICE V. NEELADRI RAO, VICE-CHAIRMAN

HON. MR. R. BALASUBRAMANIAN, MEMBER (ADMN.)

Judgement

(Orders as per Hon. Mr. R. Balasubramanian, Member (Admn.)

This application is filed seeking a relief to direct the Respondents to appoint the applicant as Skilled Artisan in the scale of Rs.950-1500 (RSRP) in C.R.S. Tirupathi, pursuant to the panel dated 21-3-1987 published by the Deputy Chief Mechanical Engineer in the Carpenter & Allied Trades and in the meanwhile

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direct the Respondents to appoint the applicant in the post of Khalasi in the Artisan Category out of 40 vacancies notified in the Employment Notice 1/91 or in the alternative ^{to} appoint the applicant as Khalasi in the Diesel Sheds of Guntakal Division i.e. at Gooty and Guntakal in terms of the offer of alternative appointment issued by the Deputy Chief Mechanical Engineer, in his letter No.TR/P.563/DR.Vol.II dated 15-4-1991 and later absorb the applicant as Skilled Artisan as and when the vacancies arise in C.R.S. or else-where in the South Central Railway, and pass such other order or orders as the Tribunal may deem fit and proper in the circumstances of the case.

2. The applicant responded to a notification for appointment to Skilled Artisans posts in Group-C of Carriage Repair shop, Tirupati. He was selected and empanelled also. However, the Respondents, for administrative reasons, could not offer them the jobs and as an alternative instead of Group-C they were offered jobs in Group-D posts vide their notification dated 15-4-1991. In that letter, consent of the persons like the applicant was sought ^{for} for appointment in Group-D and such consent was to reach them on or before 30-4-1991. It ^{is} stated in the application that the applicant consented and also communicated his acceptance vide letter dt.26-4-1991 itself.


3. Heard Ms. Babita Rayudu and Mr. Venkata Malla Reddy for the rival sides.

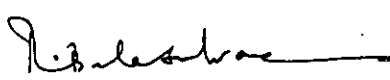
4. Similar cases have been adjudicated by this Bench. One such is the Judgement dated 6-1-1993 in OA.1119/92 (copy at page 13 of the material papers of this OA). It is not disputed that the facts of the case are fully covered by the said case decided earlier. Hence, following the judgement, we give the same direction to the Respondents in this OA also viz., that

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as and when Group-D posts in the outsiders quota become available at Carriage Repair Shop, Tirupati, or anywhere else in Guntakal Division, the applicant ^{should} ~~would~~ be considered first before considering any other case, in ^{the} order of his position in the empanelment in Group-C posts. ^{This} ~~It~~ is subject to the condition that the respondents are at liberty to verify whether the consent of the applicant for Group-D posts had reached them within the stipulated time.

5. The application is disposed of with no order as to costs.


(V. Neeladri Rao)
Vice-Chairman


(R. Balasubramanian)
Member (Admn.)

Dated : February 26, 1993
Dictated in the Open Court


Deputy Registrar (J)

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To

1. The Chief Personnel Officer, S.C.Rly, Railnilayam, Secunderabad.
2. The Deputy Chief Mechanical Engineer, Carriage Repair Shop, S.C.Rly, Tirupathi.
3. The Workshop Personnel Officer, Carriage Repair Shop, S.C.Rly, Tirupathi.
4. One copy to Mr.P.Krishna Reddy, Advocate, CAT.Hyd.
5. One copy to Mr.C.Venkatamalla Reddy, SC for Rlys, CAT.Hyd.
6. One spare copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. V. NEELADRI RAO : V.C.

AND

THE HON'BLE MR. R. BALASUBRAMANIAN : M(A)

AND

THE HON'BLE MR. CHANDRA SEKHAR REDDY
: MEMBER(J)

AND

THE HON'BLE MR.

DATE: 26-2-1993

ORDER/JUDGMENT:

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

in

C.A.No.

140/93

T.A.No.

(W.P.No.

Admitted and Interim directions
issued.

Allowed

Disposed of with directions

Dismissed as withdrawn

Dismissed

Dismissed for default

Rejected/Ordered

No order as to costs.

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Central Administrative Tribunal

DESPATCH

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HYDERABAD BENCH.