

(16)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.1441/93

Date of Order: 24.11.93

BETWEEN :

P.Chinna Ramalingaiah

.. Applicant

A N D

The Deputy Director and  
Census Operations,  
H.No.6-3-653, Pioneer House,  
Somajiguda, Besides Medinova  
Hospital, Andhra Pradesh,  
Hyderabad.

.. Respondent.

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Counsel for the Applicant

.. Mr.S.A.Razzaq

Counsel for the Respondent)

.. Mr.V.Bhimanna, *Additional  
Counsel*

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CORAM:

HON'BLE SHRI A.B.GORTHI : MEMBER (ADMN.)

HON'BLE SHRI T.CHANDRASEKHARA REDDY : MEMBER (JUDL.)

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Order of the Division Bench delivered by  
Hon'ble Shri A.B.Gorthi, Member(Admn.).

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The main relief sought by the applicant is for a direction to the respondent to consider the case of the applicant for appointment to the post of Data Entry Operator Grade 'A'. It is stated that the selection test for the said post is scheduled to be held tomorrow i.e. 25.11.1993.

2. The applicant passed Intermediate and also qualified in the Computer Date Entry test conducted by Goutham Computer Centre, Bangalore. He belongs to SC community and he is also physically handicapped. He registered his name in the District Employment Exchange, Ongole in 1978 and after a long lapse of time in 1991 his name was sponsored for appointment as Compiler in the Census Operation Department, Regional Office, Guntur. He was selected and appointed to that post where he worked satisfactorily for about 9 months when his services had to be disengaged on account of reduction of staff in the establishment. Thereafter the respondents vide press notification dt. 23.7.93 called for applications for filling up on a temporary basis 63 posts of Data Entry Operator Grade 'A'. Two of the said posts were reserved for physically handicapped persons and ten were kept reserved for 'SC'. As per policy followed by the respondents, they themselves sent a call letter dt. 9.9.1993 to the applicant to appear for the selection test which was held on 24.9.1993. The applicant appeared for the

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said test but did not qualify. Once again the respondents have invited eligible retrenched Census employees ~~to~~ appear for the test, but this time the applicant was not so called. Aggrieved by the same he has filed this application.

3. We have heard learned counsel for both the parties. As a short issue is involved we are disposing of the case at the ~~time of~~ admission stage itself.

4. Mr. V. Bhimanna, Standing Counsel for the respondents stated that on the last occasion when the applicant appeared for the speed test he scored nil marks. It was perhaps <sup>on</sup> that account that he was ~~not~~ sent a call letter again for appearing for the test. It is also stated that the 2 vacancies reserved for physically handicapped persons got filled up in the previous selection and presently there is no vacancy earmarked for physically handicapped persons. There are however vacancies against OC/SC quota.

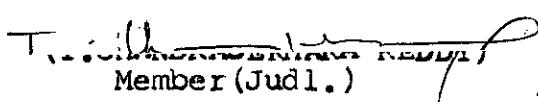
5. As the applicant studied Intermediate and passed Computer Data Entry test, there is no justification why he should not be allowed atleast to appear for the test because admittedly he falls within the category of eligible retrenched Census employee. The question of his appointment against OC/SC ~~vacancy~~ will come up for consideration depending upon his performance in the speed test.

6. In view of the above, we direct the respondents to allow the applicant to appear for the speed test scheduled <sup>in case he qualifies in the test,</sup> to be held on 25.11.93. <sup>in case he qualifies in the test,</sup> the question of his appointment may be duly considered in accordance with the extant rules/instructions. Keeping in view that he belongs to SC community.

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7. The application is disposed of in  
the above terms without any order as to costs.

  
Member (Judl.)

  
(A. B. GURTHI)  
Member (Admn.)

Dated: 24th November, 1993

(Dictated in Open Court)

  
Deputy Registrar

To

1. <sup>sd</sup> The Deputy Director and Census Operations, H.No.6-3-653, Pioneer House, Somajiguda, Besides Medinova Hospital, A.P.Hyderabad.
2. One copy to Mr.S.A.Razzaq, Advocate, ~~XXX~~, 16-1-26/15, Saidabad colony, Hyderabad-659.
3. One copy to Mr. V.Bhimanna, Addl.CGSC.CAT.Hyd.
4. One copy to Library, CAT.Hyd.
5. One spare copy.

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Date 20/11/93

TYPED BY

COMPARED BY

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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. GORTHI : MEMBER (A)

AND

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

AND

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

Dated: 24-11-1993

~~ORDER/JUDGMENT:~~

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

in

Q. A. No.

1441/93

T.A.No.

C. W. P.

Admitted and Interim directions issued.

Allowed.

Disposed of with directions.

Divorced.

Dismissed as withdrawn.

Dismissed for default

Rejected/Ordered.

No order as to costs.

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