

(18)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD.

O.A.No. 1549 of 1993

Date of decision : 24-2-94.

Between :-

1. Smt. P. Vasundhara.
2. Smt. V. Saroja.
3. Smt. G. Laxmamma.
4. Smt. P. Nirmala.
5. P. Krishna Reddy.
6. P. Muralidhar Reddy.
7. P. Satyanarayana Reddy.
8. R. Venkata Rao...
10. D. Pentaiah.
11. S. Galaiah.
12. G. Gangadhar.
13. Sri. B. Ramesh Kumar.
14. M.R. Padma Rao.
15. S. Dushyant Kumar.
16. Ch. Bose Babu.
17. M. Farook Ali Khan.
18. Iqbal Ahmed.
19. G. Eswara Chari.
20. P. Rama Mohan Rao.
21. Surya Kanth Chandan.
22. M. Anjaneyulu.
23. V. Narasimha Chary.
24. M.A. Baig.
25. G. Arun Kumar.
26. K. Lakshminarayana.
27. A. Mallaiah.
28. Smt. N. Rajamani.
29. M. Ramesh.
30. Nalini Takur.
31. Smt. Jayalakshmi.
32. V. Mruthyunjaya Shastry.
33. B. Narsinga Rao.
34. B. Pentaiah.
35. Syed Rafiuddin.
36. Md. Rasool.
37. A.C.H. Bakki Reddy.
38. C. Ramachandra Reddy.
39. A. Bhaskar.
40. T. Satyanarayana.
41. Sri. Mohd. Ali.
42. K. Ashok.
43. Sri. Md. Abdul Waheed Khan.
44. Md. Siddiqui.
45. K.L.N. Reddy.
46. Sultana Mahapara.
47. Fafhathunnisa Begum.
48. R. Krishna Rao.
49. Smt. Hussaini Begum.
50. S. Lakshman Rao.
51. G. Venkateswarlu.
52. G. Jaya Smt.
53. K. Govindu.

Applicants.

And

1. The Central Provident Fund Commissioner,
9th Floor, Mayuri Bhavan,
Cannaught Circus, New Delhi.

19

2. The Additional Central Provident Fund Commissioner,
South Zone, Provident Fund Building,
Barkatpura, Hyderabad.
3. The Regional Provident Fund Commissioner,
Andhra Pradesh Region,
Bhavishyanidhi,
Barkatpura,
Hyderabad - 500 029. Respondents .

O.A. No. 1373 of 1993.

Between :-

1. M.A.Shukoor,
2. B.Danaish. Applicants.

And

1. Regional Provident Fund Commissioner/
Additional Central Provident Fund Commissioner,
Andhra Pradesh, Hyderabad.
2. Central Provident Fund Commissioner,
Mayur Bhavan, Cannought circuit,
New Delhi - 1100 04. Respondents.

Counsel for Applicants in O.A.No.1549/93 .. Mr.N.Ramamohan Rao
Advocate.

Counsel for Applicants in O.A.No.1373/93.. Mr.N.Venkatarama-
Reddy.
Advocate.

Counsel for Respondents in both the cases: Mr.Vilas V. Afzal-
Purkar.

SC for Central Govt.

CORAM ::

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

HON. MR. R. RANGARAJAN, MEMBER(ADMINISTRATION) .

129

OA 1549/93 & OA 1373/93

Judgement dated 24.2.94

I AS PER JUSTICE SHRI V. NEELADRI RAO, VICE-CHAIRMAN]

Heard Shri N. Rama Mohan Rao, learned counsel for the applicants in OA 1549/93, Shri N. Venkata Rami Reddy, learned counsel for the applicants in OA 1373/93 and Shri Vilas V. Afzalpurkar the learned standing counsel for the respondents in both the OAs.

2. These 2 OAs can be disposed of by a common order as challenge is against the same revised seniority list as on 15.9.93.

3. Even at the commencement of the arguments in these 2 OAs, Shri Vilas Afzalpurkar the learned counsel for the respondents submitted that the said seniority list dated 15.9.93 is provisional revised seniority list. In pursuance of the judgement of this Bench in OA 490/86, the revised seniority list in the grade of UDCs of Regional Provident Fund offices in A.P., Hyderabad was revised and circulated by office letter No. AP/Adm-I/Snty/88 dated 29.7.88. That revised seniority list was again revised as per office letter No. AP/Adm-II/Seniority/UDC/93 dated 15.9.93. As already observed, the said re-revised seniority list as per proceedings dated 15.9.93 is only referred as provisional. It is also submitted for the respondents that promotions ^{are being} to the post of Head clerk is made on the basis of

this revised seniority list circulated as per office letter dated 29.7.88.

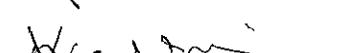
4. One of the contentions raised for the applicants in these 2 OAs is that no notice was given to the applicants and the similarly situated ~~similarly situated~~ the seniority list circulated as per office letter dated 29.7.88, and as such, the re-revised seniority list as per proceedings dated 15.9.93 is liable to be set aside. It is stated that 136 affected UDCs had already filed objections as against the re-revised seniority list as per proceedings dated 15.9.93.

5. It is stated in the proceedings dated 15.9.93 that as there were some inherent mistakes in the seniority list prepared, which was circulated as per office letter dated 29.7.88, it had become necessary to re-revise it. If in fact, there is any irregularity as referred to, it is necessary to give notice to the affected party calling for objections before re-revising the seniority list. Thus there is force in the contention for the applicants that the proceedings dated 15.9.93 in regard to re-revised list is vitiated as no notice was given to the affected parties for calling for objections. Now as it is stated that the re-revised seniority list as per proceedings dated 15.9.93 is only provisional and thereby indicating that the respondents are going to consider the objections of the affected parties, it is just and proper to give the following directions:-

6. The respondents have to give time till 15.3.94 calling for objections from the affected parties who have not yet filed objections and after ~~it~~ that, the respondents have to consider the ~~already filed and to be filed by any~~ objections in accordance with the law before finalising the re-revised seniority list so as to be in confirmity with the directions given by this Bench in OA 490/86. It is needless to say that if it is necessary to re-revise the revised seniority list, which was circulated as per letter dated 29.7.88 and if promotions to the posts of Headclerks have to be given before ~~subrevision~~, the same, the revised seniority list circulated as per letter dated 29.7.88 has to be followed and the same will be subject to re-revision of the seniority.

7. In the result, the OA 1373/93 is ordered accordingly. The OA 1549/93 is ordered accordingly at the admission stage ~~itself~~. No ~~order~~


(R. RANGARAJAN)
Member (Admn.)


(V. Neeladri Rao)
Vice-Chairman

(Open Court dictation)

NS

1-3 pm
Deputy Registrar (S)

To

1. Central Provident Fund Commissioner, 9th Floor, Mayur Bhavan, Connaught Circus, New Delhi 110001
2. Additional Provident Fund Commissioner, South Zone, Provident Fund Bldg., Barkathpur, Hyderabad.
3. Regional Provident Fund Commissioner, AP Region, Bhavishyanidhi, Barkatpura, Hyderabad.
4. CC to N. Ram Mohan Rao, Advocate
5. CC to Vilas V. Afzalpurkar, SCPC
6. CC to Library, CAT,
7. Two spare copies.