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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH

AT HYDERABAD

M.A.No.168/93 in

D.A.No.173/93

Date of Order: 26.2.1993

BETWEEN :

1. G.S.Hasan ~~Mohammed~~

2. N.V.Subba Reddy

.. Applicants.

A N D

1. The Asst. Enginner, Phones,
Telephone Exchange,
Kurnool - 518 004.

2. The Divisional Enginner,
Telecom (Mtce), O/o TDM,
Kurnool - 518 050.

3. The Telecom District Manager,
Kurnool - 518 050.

4. The Chairman, Telecom Commission,
(representing Union of India),
New Delhi - 110 001.

.. Respondents.

Counsel for the Applicants

.. Mr.C.Suryanarayana

Counsel for the Respondents

.. Mr.N.V.Raghava Reddy

CORAM:

HON'BLE SHRI N.V. KRISHNAN, VICE-CHAIRMAN (ADMN.) AHMEDABAD BENCH

HON'BLE SHRI CHANDRASEKHARA REDDY, MEMBER (JUDL.)

Order of the Division Bench delivered by
Hon'ble Shri N.V.Krishnan, Vice-Chairman (Admn.).

Mr.C.Suryanarayana, Advocate for the applicants
and Mr.N.V.Raghava Reddy, Standing Counsel for the respondents
are present.

2. The applicants ^{have} ~~are~~ filed M.A.168/93 to file a
common application. Heard. M.A. is allowed.

3. The applicants are aggrieved by the Annexure A-7
order dt. 23.1.1993, ^{by} which the earlier order dt. 8.1.1993
(Annexure A-5) has been cancelled ^{by} the 8.1.1993 order, ^{the}
first applicant has been transferred from AE(P) Kurnool to DET
Kurnool and the Second applicant has been retained at AE(P)
Kurnool itself. The impugned order ^{has} cancelled this earlier
order and declares that the applicant would be treated as
temporary ~~Mazdoor~~ in their present working places. It is
also clarified that the order dt. 23.11.1992 issued by the
TDM, Kurnool will still hold good, ^{though} the learned counsel
for the applicant submits that this is a reference to the
order dt. 21.11.1992 ~~of~~ (Annexure A-3.)

4. The learned counsel for the applicant states that
the Annexure A-5 order has already been implemented by the
applicants as ~~would~~ be evident in the case of the applicant
Subba Reddy from the Annexure A-6. His main grievance is that
if the Annexure A-5 order ^{has} already been implemented it cannot be
cancelled by the Annexure A-7 order.

5. We are of the view that the applicants ^{ought to} ~~and~~ to have
pointed out this fact to the 2nd respondent ^{by a representation}, when they received
a copy of the Annexure A-7 order. The learned counsel for

Copy to:-

1. The Asst. Engineer, Phones, Telephone Exchange, Kurnool-004.
2. The Divisional Engineer, Telecom (Mtce), O/O TDM, Kurnool-050.
3. The Telecom District Manager, Kurnool-050.
4. The Chairman, Telecom Commission, (representing Union of India), New Delhi.
5. One copy to Sri. C.Suryanarayana, advocate, CAT, Hyd.
6. One copy to Sri. N.V.Raghava Reddy, Addl. CGSC, CAT, Hyd.
7. One spare copy.

Rsm/-


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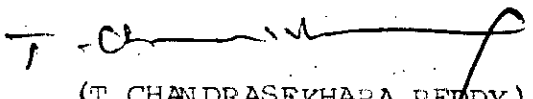
the applicants stand that he would be satisfied if he is permitted to file a representation which the respondents may be directed to dispose of and the Annexure A-7 order may be kept in abeyance.

6. We have heard the learned counsel for the respondents also. He has not been able to raise any objections to this course of action.

7. In the circumstances, without waiting for a formal reply from the respondents, we dispose of this application at the admission stage, with a direction to the applicants to file a representation to the 2nd respondent in respect of the grievance raised by them in this application, within 15 days from today and in case such a representation is received, the second respondent may dispose it of in accordance with Law and pending such disposal under intimation to the applicants the Annexure A-7 order shall remain in abeyance if not already implemented. If the applicants are still aggrieved by any order that may be passed by the 2nd respondent, they are permitted to approach this Tribunal with the same grievance.

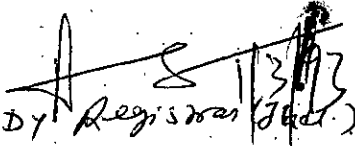
O.A. is disposed of with no order as to costs.


(N.V. KRISHNAN)
Vice-Chairman (Admn.)


(T. CHANDRASEKHARA REDDY)
Member (Judl.)

Dated: 26th February, 1993

(Dictated in Open Court)


By Registrar (Judl.)

contd.... 4/-

MA 168793

O.A. 173/93

FILED BY
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COMPALED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

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

AND

N.V. Krishna Rao, V.C. (Admn.)

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

AND

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

AND

THE HON'BLE MR.

DATED: 26/2/1993.

ORDER/JUDGMENT:

R.P./C.P/M.A. No. 168793

in

O.A. No.

168793

173/93.

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.

Central Administrative Tribunal
DESPATCH

3 MAR 1993

HYDERABAD BENCH.

pvm