

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO. 239 of 1993

DATE OF JUDGMENT: 22nd March 1993

BETWEEN:

Mr. M. Madana Gopal

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Applicant

AND

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

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

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Respondents

COUNSEL FOR THE APPLICANT: Mr. V. Krishna Rao, Advocate

COUNSEL FOR THE RESPONDENTS: Mr. D. Gopal Rao, SC For Railways

CORAM:

Hon'ble Shri Justice V. Neeladri Rao, Vice Chairman

Hon'ble Shri R. Balasubramanian, Member (Admn.)

contd....

JUDGMENT OF THE DIVISION BENCH DELIVERED BY THE HON'BLE
SHRI R.BALASUBRAMANIAN, MEMBER (ADMN.)

This application is filed by Mr. Madana Gopal with a prayer to direct the respondents to appoint the applicant as Khalasi in Group 'D' post in the scale of Rs.750-940 as an alternative appointment or to the post of Artisan (Skilled) in the scale of Rs.950-1500 for which he is selected and placed in the panel.

2. The applicant was successful in the written test conducted on 3.11.1985 for selection to the post of Artisan staff in the 2nd respondent's office. He was also called for viva-voce.. On 15.4.1991, he was informed that he was placed in the select panel for the post of Skilled Artisan Mechanical Branch. It was also added that it might not be possible for them to offer him a job in the skilled cadre for which he was empanelled. However, there was a possibility of offering him a post in Group 'D' unskilled post in Diesel sheds of Guntakal Division ie., at Gooty and Guntakal in the pay scale of Rs.750-940. The applicant was required to send his written consent if he was prepared to accept appointment in Group 'D' post in Guntakal Division as unskilled staff in Diesel Shed in the pay scale of Rs.750-940 either at Gooty ~~or Guntakal~~ or Guntakal within 15 days with no ~~right~~ right to

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claim for skilled Artisan post in the pay scale of Rs.950-1500. In response to the letter dated 15.4.1991, the applicant conveyed his concurrence on 26.4.1991 itself indicating his willingness to be considered for Group 'D' post. This is well within the time limit indicated by the respondents. Even after this, the applicant was not given Group 'D' post in Gooty or Guntakal.

3. Heard Mr. V.Krishna Rao, learned counsel for the applicant and Mr. N.Rajeswara Rao for Mr.D.Gopal Rao, learned Standing Counsel for the Respondents. In the course of the hearing, it was stated by the learned counsel for the applicant that the case is fully covered by the Judgment in OA 140/93 dated 26.2.1993. Hence, following the directions given in that OA, we repeat the directions in this case also viz.,-

"as and when Group-D posts in the outsiders quota become available at Diesel Sheds of Guntakal Division either at Gooty or Guntakal or anywhere else in Guntakal Division, the applicant should be considered first before considering any other case, in the order of his position in the empanelment in Group-C posts."

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4. The application is disposed of accordingly at the admission stage itself with no order as to costs.

(Dictated in the open Court).

VN
(V.NEELADRI RAO)
Vice Chairman

R.Balasubramanian
(R.BALASUBRAMANIAN)
Member (Admn.)

Dated: 22nd March, 1993.

8/3/93
Deputy Registrar (J)

To

1. The Chief Personnel Officer,
S.C.Railway, Secunderabad.
vsn
2. The Deputy Chief Mechanical Engineer, Carriage Repair Shop,
S.C.Railway, Tirupathi.
3. One copy to Mr.V.Krishna Rao, Advocate, CAT.Hyd.
4. One copy to Mr.D.Gopal Rao, SC for Rlys. CAT.Hyd.
5. One spare copy.

pvm

*Recd by
21/3/93*

TYPED BY *u* COMPARED BY
CHECKED BY *u* APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR.JUSTICE V.NEELADRI RAO
VICE CHAIRMAN

AND *✓*

THE HON'BLE MR.K.BALASUBRAMANIAN :
MEMBER(ADMN)

AND *✓*

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

DATED: 22-3-1993

~~ORDER~~ JUDGMENT

R.P. ~~C.P.~~ M.A. NO.

in

O.A. No. 239/93

T.A. No. (W.P. No)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions *✓*

Dismissed as withdrawn.

Dismissed

Dismissed for default.

Ordered/Rejected.

No order as to costs.

pvm.

