

(22)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH  
AT HYDERABAD

O.A.254/93

Dt.of order:20.9.93<sup>5</sup>

Between

V.Narayanamurthy .. Applicant

and

1. Chief Personnel Officer  
SCRly, Rail Nilayam, Sec'bad

2. Chief Engineer,  
SCRly, Rail Nilayam, Sec'bad

3. K.L.Narasimha Rao

4. HT Prakash

5. T.Ravinda Kumar

6. D.V.Vijayakumar

7. A.Venkataswamy Goud

8. B.Venkateswara Rao

9. V.Ramachandraiah

10.D.Venkataramana

11.GVVS Mallikarjuna Rao

12.M.Dakshinamurthy .. Respondents

Counsel for the Applicants :: Mr P.Krishna Reddy

Counsel for the respondents :: Mr V.Bhimanna  
CGSC

CORAM:

HON'BLE SHRI R. RANGARAJAN, MEMBER (ADMN)

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ORDER

As per Hon'ble Shri. R.Rangarajan, Member (Admn)

Heard Shri P.Krishna Reddy, learned counsel for the applicant and Shri V.Bhimanna, Standing Counsel for the respondents.

2. The applicant, along with R3 to R12 applied for the post of Inspector of Works Gr.III in response to the Notification No.2/80, issued by the Railway Services Commission, Secunderabad. The Railway Services Commission held selection and supplied the list of selected candidates to the South Central Railway. It is stated for the applicant that he is senior to R3 to R12 in the panel supplied by the Railway Services Commission to SCRly. On receipt of the panel, the candidates were offered appointment as Apprentice Inspector of Works and the first batch, as per the seniority in the panel position supplied by the Railway Services Commission, were sent for one year training in the Batch during September,1981. The second batch of selected candidates who were junior to the first batch as per the panel position supplied by the Railway Services Commission, were sent for training in December,1981.

3. The seniority list of Inspector of Works Gr.III in the scale of Rs.1400-2300 (RSRP) as on 31.1.1989 was issued on 7.3.1989, calling for representations from staff in connection with the position in seniority before 2.4.1989. The

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applicant submitted his representation stating that he under-went training in the earlier batch than the respondents R3 to R12 and he attended the final examination after training on 5.6.82, whereas, the respondents R3 to R12 had appeared for their examination after training at a later date. Hence, he claimed that he should rank senior to the respondents 3 to 12. By letter dated 29.4.92, R1 rejected the applicant's representation for seniority, stating that, the applicant, R3 to R12 belonged to the same recruitment panel, and their seniority was determined on the basis of marks obtained by them at the end of the training, though they were subjected to the examination on different dates. Aggrieved by that, the applicant has filed this OA assailing the above order dated 29.4.92 and for a direction to R1 to revise his seniority, ~~and R3 to R12~~ showing him above R3 to R12 in the seniority list of Inspector of Works Gr.III as on 31.1.89 in SCRly published on 7.3.89.

4. The applicant in this OA is appointed in response to the notification No.2/80, by which notification applicants in OA 962/92 were also appointed as Inspector of Works Gr.III in SCRly. The applicants in OA 962/92 have also prayed for re-fixing their seniority above that of those who were sent for training and examined in the second batch. The contentions raised in that OA and the points that arose for consideration in that OA ~~is~~ are same as the contentions and points raised for consideration in this OA. In view of the above, we see no reason to differ from the directions given in that OA to the applicant in this OA.

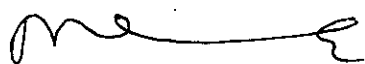
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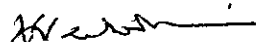
5. Accordingly, this OA is also disposed of with the following direction:

The impugned order of R-1 bearing No.P/E/612/IOW/Vol.IV dated 29.4.1992 is set aside. The seniority of the applicant herein has to be fixed on the basis of the principle laid down in the order in OA 962/92 dated 20.9.1995; and accordingly, the seniority list as on 31.1.1989 in respect of Inspector of Works Gr.III in S.C.Railway which was published on 7.3.1989 has to be revised and if later seniority lists are published, they too have to be accordingly revised.

6. The OA is ordered accordingly. No costs.//



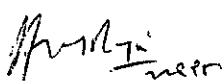
(R.Rangarajan)  
Member(Admn.)



(V.Neeladri Rao)  
Vice Chairman

Dated 20th Sep., 1995.

Dictated in the open court.



Deputy Registrar (J) CC

mvl.

To

1. The Chief Personnel Officer, S.C.Rly, Railnilayam, Secunderabad.
2. The Chief Engineer, S.C.Rly, Railnilayam, Secunderabad.
3. One copy to Mr.P.Krishna Reddy, Advocate, CAT.Hyd.
4. One copy to Mr. V.Bhimanna, SC for Rlys, CAT.Hyd.
5. One copy to Library, CAT.Hyd.
6. One spare copy.

pvm

TYPED BY

CHECKED BY

COMPARED BY

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. R. RANGARAJAN : M(ADMN)

DATED:- 20 - 9 - 1995.

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

in

O.A.No.

254/93.

T.A.No.

(W.P.)

Admitted and Interim Directions  
Issued.

Allowed

Disposed of with directions.

Dismissed.

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs

pvm.

No. Spare Cop

