

(28)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL::HYDERABAD BENCH::

O.A.No.338/1993.

Date: 14.7.1993.

Between:

B.V.Suryanarayana

..

..

Applicant

And

1. Union of India, rep. by its Secretary, Department of Personnel & Training, New Delhi-1
2. Union Public Service Commission, rep. by its Secretary, New Delhi
3. Government of Andhra Pradesh, rep. by its Chief Secretary, Secretariat, Hyderabad.
4. Government of Andhra Pradesh, rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.

..

Respondents

HEARD:

For the applicant : Sri B.Nageswara Rao, Advocate.

For the Respondents-1 & 2: Sri N.R.Devaraj, Sr. CGSC

For the respondents-3 & 4: Sri D.Panduranga Reddy, SC for AP.

CORAM:

THE HON'BLE MR. JUSTICE V. NEELADRI RAO, Vice-Chairman

THE HON'BLE MR. P.T. THIRUVENGADAM, Member(Admn.)

(JUDGMENT OF THE DIVISION BENCH DELIVERED BY HON'BLE SRI JUSTICE V. NEELADRI RAO, VICE-CHAIRMAN)

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The applicant retired from service as Special Grade Deputy Collector in <sup>1990</sup>1986. Selection Committee met for consideration for selection to the Indian Administrative Service (I.A.S.)

...2/-

*Sd/-*

(29)

: 2 :

for inclusion in the select-list for vacancies to be filled in <sup>1987</sup> 1986. The Deputy Collectors who completed 8 years of regular service are eligible for consideration for inclusion in such select-list if they are confirmed and within the zone of consideration and if they did not cross 54 years as on 1st April of the relevant year in which the select list had to be prepared. The case of the applicant was not considered for the select-list of 1986 as by then he was not confirmed in the category of Deputy Collector though he satisfied the other three conditions.

3. The applicant was confirmed <sup>as Deputy Collector</sup> as per G.O.Ms.No.22 dated 11-1-1993 with effect from 31-12-1985. Thus, he was eligible for consideration as on 1.4.1986. It is alleged for the applicant that some of his juniors were included in the 1986 list and they were appointed in I.A.S. cadre. Hence it is necessary to give a direction to the respondents to constitute Selection Committee for considering the case of the applicant along with others who are included in 1986 select-list and if he is selected, he had to be appointed for the I.A.S. cadre from the date on which his junior in the same category was appointed. As the applicant retired from service, he had to be given the monetary benefits for the entire period from the date of such appointment, till he retired. Of-course, he will also be entitled to the additional retirement benefits on that basis.

...3/-

20/10/93

Copy to:-

1. Secretary, Department of Personnel & Training, Union of India, New Delhi-1.
2. Secretary, Union Public Service Commission, New Delhi.
3. Chief Secretary, Government of Andhra Pradesh, Secretariat Hyderabad.
4. Principal Secretary, Revenue Department, Government of Andhra Pradesh, Secretariat, Hyderabad.
5. One copy to Sri. B.Nageswara Rao, advocate, plot No.7, SBH Colony, Asman Gadh, Malakpet, Hyd.
6. One copy to Sri. N.R.Devaraj, Sr. CGSC, CAT, Hyd.
7. One copy to Sri. D.Panduranga Reddy, Spl. counsel for A.p.State.
8. One copy to Library, CAT, Hyd.
9. One spare copy.

Rsm/-

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pg 9.22  
7/7/83

: 3 :

3. The select-list of 1986 in regard to A.P.State was set aside by this Bench as per order dt.16.7.1991 in O.A.No.531 of 1988. The same is the subject matter of the appeal before the Hon'ble Supreme Court of India in C.A.No.915 of 1992. The Hon'ble Supreme Court suspended the operation of the order dt. 16.7.1991 in O.A.No.531 of 1988 by way of interim orders. In M.A.No. 1142/92 in O.A.No.787/88 the case wherein the applicant therein also was given the benefit <sup>as per order</sup> similar to the order which we passed in regard to the applicant herein, ~~this~~ <sup>the</sup> Bench held that the Review Selection Committee may be constituted after C.A.No:915 of 1992 is disposed-of. As the applicant herein also retired from service and as it is a case of only getting monetary benefits if he is going to be selected for inclusion in the select-list, it is just and proper to permit the respondents to constitute Selection Committee for consideration of the case of the applicant, after the disposal of the C.A.No. 915 of 1992 on the file of Hon'ble Supreme Court of India.

4. The O.A. is ordered accordingly. No costs.

**CERTIFIED TO BE TRUE COPY**

Date 22/7/92  
 Court Officer  
 Central Administrative Tribunal  
 Hyderabad Bench  
 Hyderabad.

Costs --- 4/-

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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. A. B. GORTY : MEMBER (AD)

AND

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

AND

THE HON'BLE MR. P. T. TIRUVENGADAM : M(A)

Dated : 14/7/1993

ORDER/JUDGMENT:

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

in

O.A. No.

338793

T.A. No.

(w.p.)

Admitted and Interim directions  
issued

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default.

Rejected/ Ordered

No order as to costs.

pvm

