

97

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD

OA 527/93.

Dt. of Decision: 28-10-93.

K. Govinda Chetty

...Applicant

Vs.

1. Union of India, rep. by its  
Joint Secretary, Department of Space,  
ISRO, Anthariksha Bhavan, New DEL Road,  
Bangalore - 560 094.
2. The Head, Personnel & General Administration  
Division, SCF, SHAR Centre, Sriharikota-524 124,  
Nellore District.
3. Sk. Masthan Basha, Asst. Stores Officer,  
SHAR Centre, Sriharikota-524 124, Nellore Dist.
4. G. Narayana Murthy, Asst. Stores Officer,  
ISRO Satellite Centre, ISRO, Airport Road,  
Bangalore - 560 094.
5. C. J. Baby, Asst. Stores Officer,  
VSSC, Vikram Sarabhai Space Centre,  
Trivandrum-22.
6. Jeevananda, Asst. Stores Officer,  
ISRO Satellite Centre, ISRO, Airport Road,  
Bangalore - 560 094.
7. Jayraj Abraham, Asst. Stores Officer,  
LPSC, Valiamala, Trivandrum.
8. G. Thankeppan Nair, Asst. Stores Officer,  
Vikram Sarabhai Space Centre, Trivandrum-22.

...Respondents

Counsel for the Applicant : Shri Vaada Rajgopal Reddy

Counsel for the Respondents : Shri N.R. Dev Raj, Sr. CGSC

CORAM:

THE HON'BLE SHRI JUSTICE V. NEELADRI RAO : VICE CHAIRMAN

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN)

-- -- --

...2.

98

O.A.NO.527/93

JUDGMENT

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN)

The applicant herein is working as Stores Assistant 'A' in SHAR Centre, Sriharikota, Nellore District. His case was considered for the promotion to the post of Assistant Stores Officer in 1990. Out of six vacancies, four were given promotion on the basis of the merit and two were given promotion on the basis of seniority as the quota for promotion on the basis of merit and seniority is 2:1. The applicant stood 5th on the basis of the merit. As the 5th vacancy on the basis of merit had not arisen before the date of expiry of the said panel, the applicant was not given promotion. This OA was presented on 10.6.1993 praying that the allotment of 30% of the marks for interview is excessive. The Ernakulam Bench of the Central Administrative Tribunal held by the order dated 28.2.1992 in OA 21/91 that the allotment of 30% of the marks for interview for promotion to the post of Assistant Purchase Officer in ISRO is excessive, and then a direction was given to the effect that only 10 marks have to be allotted for the interview and the merit has to be considered on the basis of the total obtained in the written test for a maximum of 50 marks, ACRs for a maximum of 20 marks and for interview for a maximum of 10 marks. The learned Standing Counsel for the respondents, Shri N.R.Devaraj contended that this OA has to be dismissed on the ground of laches for it was filed after the expiry of the panel which is challenged, and it cannot be stated in view of the nature of the post and the position of the Committee who had interviewed the candidates that the allotment of 30% of marks for interview is excessive. There is force in the contention for the respondents that there are

contd....

99

.. 3 ..

laches on the part of the applicant in challenging the panel and the said challenge was after the expiry of ~~XXXXXX~~ the period of the panel. So, the OA has to be dismissed on that ground and hence there is no need to advert to the other contentions raised for the applicant for disposal of this O.A.

2. In the result, the OA is dismissed. No costs.

(R.RANGARAJAN)  
MEMBER (ADMN.)

(V.NEELADRI RAO)  
VICE CHAIRMAN

DATED: 28th October, 1993.

Deputy Registrar (J)

vsn

To

1. The Joint Secretary, Union of India,  
Dept.of Space, ISRO, Anthariksha Bhavan, New DEL Road,  
Bangalore-094.
2. The Head, Personnel & General Administration Division,  
SCF, SHAR Centre, Sriharikota-524 124, Nellore Dist.
3. One copy to Mr.vaada Rajgopal Reddy, Advocate,  
No. 1 Law Chambers, High Court of A.P. Hyderabad.
4. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
5. One copy to Library, CAT.Hyd.
6. One spare copy.
7. One copy to Mr.Jeevananda, Assistant Stores officer, ISRO SATELLITE  
CENTER, ISRO, Air port Road, Bangalore -560094.

pvm

130 am  
31/10/93

TYPED BY

COMPARED BY

CHECKED 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. Ranga Rao*  
~~A. B. CORTI~~ MEMBER (A)

AND

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

AND

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

Dated: 28 - 10 - 1993

ORDER/JUDGMENT:

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

in  
O.A.No. 527/93-

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

