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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD

DA No.538/93.

Dt. of Order:25-8-93.

1. G.Ravi Kumar
2. K.Venkateswarlu

..... Applicants

Vs.

1. The Chief Personnel Officer,  
S.C.Railway, Rail Nilayam,  
Secunderabad.
2. The Dy.Chief Mechanical Engineer,  
Carriage Repair Shop,  
SC Railway, Tirupathi.
3. The Workshop Personnel Officer,  
Carriage Repair Shop,  
SC Railway, Tirupathi.

..... Respondents

.. .. .

Counsel for the Applicants : Shri P.Krishna Reddy

Counsel for the Respondents : Shri N.V.Ramana, SC for Rlys

.. .. .

CORAM:

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

THE HON'BLE SHRI P.T.THIRUVENGADAM : MEMBER (A)

(Order of the Divn. Bench passed by Hon'ble  
Shri P.T.Thiruvengadam, Member (A) ).

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The Dy.Chief Mechanical Engineer, Carriage  
Repair Shop, Tirupathi, issued a notification in 1984,  
for recruitment of skilled artisans in various trades.

The applicants fulfilled the qualifications and applied

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for the <sup>(ex)is</sup> same. After the selection comprising written test, viva-voc~~le~~e and practical test the applicant<sup>s</sup> were empanelled trade wise in proceedings dt.21-3-87. Due to the low position in the panel the applicants could not get appointment to the skilled artisan posts for which they had been empanelled. The Respondents instead offered Group 'D' posts in the lower scale of Rs.750-940 in Guntakal Division in Diesel Sheds i.e. at G<sup>o</sup>oti and G untakal. The applicants were informed that if they accept the offer of appointment in Group 'D' by the stipulated date they would forego their eligibility for direct appointment in skilled artisan category. They were also advised that ~~in~~ <sup>do</sup> in case they ~~had~~ not accepted <sup>the</sup> offer for group 'D' they would have to wait for their turn for appointment within the currency of panel subject to vacancies arises during the currency of panel. The life of the panel expired by 20-9-91.

2. The applicants accepted the offer of appointment <sup>in</sup> with the stipulated time and also the terms and conditions. They had been waiting for appointment in group 'D' and had been making a number of representations which had been of no avail.

3. While so, the respondents issued various employment notifications dt.17-6-91 and 18-6-91 for filling

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up vacancies in group 'D', and notification dt. 17-3-93 for filling up vacancies <sup>of</sup> in Skilled Artisan. This O.A. has been filed for directions to the Respondents to appoint the applicants as Skilled Artisan, or at least as Kalasis in Group 'D' initially and later for absorption in Group 'C'.

4. With regard to the first relief it is noted that the currency of the panel had expired more than two years back. Also the applicants had accepted the offer of appointment in Group 'D', simultaneously ~~by~~ <sup>for</sup> forgoing their right for direct absorption in Group 'C'. Accordingly they have no case for absorption for Group 'C' at this stage.

5. After the issue of the notification dt. 17-6-91 and 18-6-91 for filling up vacancies in Group 'D', a number of O.A.s were filed in this Bench by candidates who were similarly placed as the applicants. The applicants in those OAs had also been empanelled in the year 1987 for Skilled Artisans and in the absence of vacancies (skilled artisan) had been offered the posts in Group 'D', which had been accepted. In all these OAs filed from 1991 to 1993 this bench had directed the respondents <sup>not</sup> as and when Group 'D' posts in the outsiders Quota become

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Copy to:-

1. The Chief Personnel Officer, S.C.Railway, Raib Nilayam, Secunderabad.
2. The Dy. Chief Mechanical Engineer, Carriage Repair Shop, S.C.Railway, Tirupathi.
3. The Workshop Personnel Officer, Carriage Repair Shop, SC Railway, Tirupathi.
4. One copy to Sri. P.Krishna Reddy, advocate, CAT, Hyd.
5. One copy to Sri. N.V.Ramana, SC for Rlys, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

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available at Carriage Repair Workshop at Tirupathi or any where in Guntakal Division, the applicants should be considered first before considering any other case in order of respective rank in the empanelment of Group 'D' post. We feel that a similar order should be passed in this O.A. The bar of limitation will not apply in this case since the applicants had already exercised their options in the year 1991 and had been hoping to get order of appointment. They would not have been aware of the occurrence of vacancies in regard to the post for which offer had been made. In the result the O.A. is disposed of with a direction to the Respondents that as and when group 'D' posts in the outsiders quota are available in Carriage Repair Workshop, Tirupathi, or anywhere else in Guntakal Division, the applicants should be considered first before considering any other candidate for the employment in Group 'D' post. No order as to costs.

P. T. Thiruvengadam  
(P.T. THIRUVENGADAM)  
Member (A)

V. Neeladri Rao  
(V. NEELADRI RAO)  
Vice-Chairman

Dated: 25th August, 1993.  
Dictated in Open Court.

avl/

Dr. Registrar (H.D.)

O.A. 53874

TYPED BY

COMPALED 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. A. B. GORTHY : MEMBER (A)

AND

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

AND

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

1993

ORDER/JUDGMENT:

M.A./R.A./C.A. NO.

in

O.A. No.

538743

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

