

(10)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

R. A.No. 5/95

in

O.A.No. 1003/94.

Dt. of Decision : 20.1.95.

1. The Union of India,
rep. by the Director General,
Telecommunications,
New Delhi - 110 001.
2. The General Manager,
Telecom, District,
Hyderabad Complex...
3. The Chief General Manager,
Telecom. A.P.Circle,
Hyderabad-500 001.

... Applicants.

Vs

U. Surya Prakasa Rao

.. Respondents.

Counsel for the Applicants

: Mr. K.Bhaskar Rao, Addl CGSC.

Counsel for the Respondents

: Mr. J.V.Laxman Rao, Advocate

CORAM:

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

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

(11)

R.A.NO. 5/95
in
O.A.NO.1003/94.

ORDERS

Dt: 20.1.1995

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

Heard Shri K.Bhaskar Rao, learned standing counsel for the review applicants and Shri J.V.Laxman Rao, learned counsel for the respondent.

2. The respondents in the OA filed this R.A. praying for review of the order in the OA.

3. The applicant in OA 1003/94 was recruited as Junior Engineer in Telecom/^{District,} Hyderabad in 1981. ~~After~~ successful training, he was appointed as Junior Engineer for a period of two months, ^{on 22.7.83} He was continued from the said post from time to time till he was confirmed with effect from 1.4.1988. He filed OA 1003/94 assailing the order of his transfer from Hyderabad to Adilabad.

4. The applicant therein relied upon the judgment dated 20.8.1993 in OA 765/93 on the file of this Bench wherein it was held that those who are recruited for Hyderabad Telephone District prior to the merger in 1986, are not liable for transfer from the twin cities of Hyderabad and Secunderabad. The merger in 1986 was of Hyderabad Telephone District and the A.P. Telephone Circle ^{which} ~~was~~ ^{jurisdiction are} having ~~for~~ the entire A.P. State ~~excluding~~ twin cities of Hyderabad

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and Secunderabad prior to merger. It is stated for the respondents that the erstwhile ~~XXIX~~ Hyderabad Telephone District comprises of not only twin cities but some areas around them. But it is not even the case of the respondents that Adilabad District was within the erstwhile Hyderabad Telecom District.

5. It is now stated for the respondents that the transfer of the applicant to Adilabad was in exercise of the power under Rule 37 of P&T Manual Vol.IV, as it is felt that it is not desirable to allow the applicant to continue ~~in-service~~ in twin cities as some allegation against him are under investigation by the vigilance department. When it was held in OA 765/93 after considering the condition in the order of appointment in Hyderabad Telecom District prior to merger, and the relevant rule framed on merger that those who were appointed for Hyderabad Telecom District were not liable for ~~XXXX~~ transfer out side the twin cities, they cannot be transferred from the area covered by the erstwhile Telecom District even in exercise of the power under Rule 37 of the P&T Manual, Vol.IV.

6. It is stated that the SLP was filed against the order in OA 765/93. But it is not stated that the order therein was suspended.


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7. Thus, there are no grounds for review and the R.A. is accordingly dismissed. No costs./


(A.B. GORTHI)
MEMBER (ADMN.)


(V. NEELADRI RAO)
VICE CHAIRMAN

DATED: 20th January, 1995.
Open court dictation.


Deputy Registrar(J)CC

vsn

To

1. The Director General, Union of India, Telecommunications, New Delhi-1.
2. The General Manager, Telecom Dist. Suryalok Complex, Hyderabad-33.
3. The Chief General Manager, Telecom, A.P.Circle, Hyderabad-1.
4. One copy to Mr.K.Bhaskar Rao, Addl.CGSC.CAT.Hyd.
5. One copy to Mr.J.V.Lakshmana Rao, Advocate, CAT.Hyd.
6. One copy to Library CAT.Hyd.
7. One spare copy.

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12/10/95

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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 (ADM)

DATED: 20 - 1 - 1995

ORDER/JUDGEMENT

~~M.A./R.A/C.A.~~ No. 5/95
in

O.A.No. 1003/94.
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.

Dvm

1/24/95
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