

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

ORIGINAL-APPLICATION-NO.1140-OF-1994.

DATE-OF-ORDER:-19th-June,-1997

BETWEEN:

CAPTAIN D. VIJAY KUMAR

.. APPLICANT

AND

1. Union of India, represented by  
its Secretary to Govt.of India,  
Ministry of Personnel, New Delhi,
2. Union Public Service Commission,  
represented by its Charman, New Delhi,
3. The State of Andhra Pradesh represented by  
its Chief Secretary, Secretariat,  
Hyderabad, A.P.
4. Sri S.Umapathi,
5. Shri A.V.Narayana

.. RESPONDENTS

COUNSEL FOR THE APPLICANT: Mr.GVLN MURTHY

COUNSEL FOR THE RESPONDENTS:Mr.NR DEVARAJ,Sr.CGSC  
Mr.P.NAVEEN RAO for R-3  
Mr.VV PRABHAKAR RAO for R4

CORAM:

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

HON'BLE SHRI B.S.JAI PARAMESHWAR, MEMBER (JUDL.)

ORDER

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

None for the applicant. None for R-4 and R-5.  
Heard Mr.W.Satyanarayana for Mr.N.R.Devaraj, learned  
standing counsel for the Central Government and Mr.P.Naveen  
Rao, learned counsel for the State of Andhra Pradesh.

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2. This OA <sup>is</sup> was filed praying for a direction to the respondents 1 to 3 to release the findings of the Review Committee placed in the sealed cover and to implement them in favour of the applicant with immediate effect when it is considered necessary and expedient with other consequential benefits.

3. The case of the applicant is that he should be included in the selection list for IPS from 1982-1991 but subject to outcome of the OA Nos. 3636 to 3638/91 pending before the Andhra Pradesh Administrative Tribunal. The applicant to that effect filed OA 277/91 on the file of this Bench which was disposed of on 6.11.92. The operative portion of the judgement reads as follows:-

"Following the order dt.10.8.92 in OA 628/91 and suitably modifying, we direct the Respondents to place the case of Sri Vijay Kumar also before the same review committee before which the cases of applicants in OA 628/92 i.e. S/Shri KL Reddy and AR Vaman Rao are placed for review of the case of Sri Vijay Kumar for the years 1982 to 1990-91 and place the findings in a sealed cover. Further action will be subject to,

(a) the outcome in OAs 3636 to 3638/91 pending before the APAT as pointed out by the Chief Secretary of A.P. in his letter dt.10.3.92;

(b) the applicant's eligibility for consideration in the light of the order dt. 17.3.91 passed by the APAT and extracted above."

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4. In pursuance of the judgement it is stated that the case of the applicant was reviewed and the result was kept in a sealed cover pending decision of the APAT in OA 3638/91 and batch on the file of the APAT. The sealed cover in regard to the eligibility of the applicant on review can be opened only after the judgement of the APAT in the above referred cases is pronounced.

5. The learned counsel for the respondents now produced the judgement dated 7.4.97 in OAs 3638/91 and batch filed by R-4 and R-5. The orders states that the applicants in that OA on the file of APAT sought permission to withdraw those OAs by filing letters for withdrawal. Permission was accorded and the OAs were accordingly disposed of as withdrawn and all the interim orders were vacated.


6. In view of the judgement of the APAT, the learned counsel for the State of AP submits that there is no impediment <sup>now</sup> in opening the sealed cover and announce the result of the review proceedings in regard to the applicant herein. He further states that the sealed cover will be opened shortly and the result will be announced if permitted by this Tribunal.

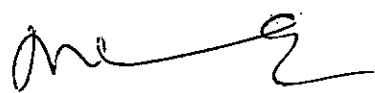
7. In view of the decision of the APAT in regard to interse seniority dispute, there is no objection by this Tribunal to allow the sealed cover, wherein the review result of the applicant for promotion is kept, <sup>filed</sup> open and the result announced. R-3 should open the sealed cover and announce the result if required in consultation with R-2.

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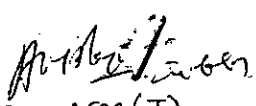
8. In view of the above, no further direction is necessary in this OA. Hence this OA is disposed of. No order as to costs.

  
(B.S. JAI PARAMESHWAR)  
MEMBER (JUDL.)

  
(R. RANGARAJAN)  
MEMBER (ADMN.)

19.6.97

DATED: -19th-June, -1997  
Dictated in the open court.

  
Jy. Ranganathan (S)

vsn

982/17/97

FILED BY  
RECORDED BY

CHECKED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD

THE HON'BLE SHRI A. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR: M  
(J)

DATED

19/6/97

~~ORDER/JUDGEMENT~~

~~M.A./P.A./C.A. NO.~~

~~P.A. NO.~~

11461ay

~~Admitted and Interim directions  
Issued.~~

~~Allowed~~

~~Disposed of with directions,~~

~~Dismissed~~

~~Dismissed as withdrawn~~

~~Dismissed for default~~

~~Ordered/Rejected.~~

~~No order as to costs.~~

YLKR

II Court.

केन्द्रीय प्रशासनिक अधिकरण Central Administrative Tribunal दस्तावेज / DESPATCH 30 JUN 1997 हदराबाद बेंच HYDERABAD BENCH
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