

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

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O.A. 701/94.

Dt. of Decision : 19-03-97.

P. Palakrishna Rao

.. "pplicant.

Vs

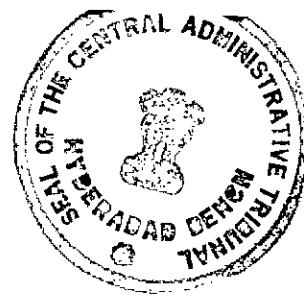
1. The Union of India, Rep. by  
the Secretary, Min.of Railways,  
New Delhi.

2. The General Manager, SE Rly,  
Visakhapatnam.

SE Rly, General Manager.  
Visakhapatnam.

4. The Divl.Personnel Officer,  
SE Rly, Dondaperty, DRM's Office,  
Visakhapatnam.

.. Respondents.



Counsel for the applicant: Mr.R.Briz Mohan Singh

Counsel for the respondents : Mr.N.R.Devaraj, Sr.CGSC.

CORAM:

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

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

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ORDER

Heard Mr.R.Briz Mohan Singh, learned counsel for the applicant and Mr.N.R.Devaraj, learned counsel for the respondents.

2. The applicant in this OA while working as a ~~clerk~~ <sup>junior clerk</sup> in the post of Clerk in the scale of pay of Rs.260-400/- w.e.f., 15-9-81 and he was reverted back to his original grade on 19-4-83. Thereafter he was once again promoted on adhoc basis w.e.f., 21-8-86. It is stated for the applicant that he is continuing in the <sup>same</sup> <sub>capacity</sub> even today.

3. This OA is filed praying for a direction to the respondents to regularise the services of the applicant as Junior Clerk in Senior DME's Office, Visakhapatnam under R-3 of SE Railway. An interim order was passed in this OA dated 20-06-94. This interim order reads as below:-

"Until further orders the applicant should be allowed to continue to work as Junior Clerk (LDC) on adhoc basis, so long as his juniors working on adhoc basis are continuing and so long as there is work. Ofcourse there is no ban for replacing the applicant by a regular employee if his juniors working on adhoc basis as Junior Clerks, are replaced by regular employees".

4. A reply has been filed in this OA. The learned counsel for the respondents submit that the applicant <sup>is</sup> in the juniormost adhoc clerk on day. He is not aware whether he is continuing or not in that post. However, he has no objection

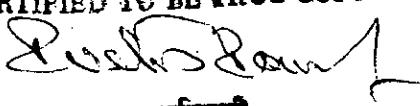
for confirming, interim order passed in this connection and action will be taken on that basis.

5. The learned counsel for the applicant submitted that the applicant wrote the qualifying examination for promotion to the post of clerk against the 33 $\frac{1}{3}$  % quota earmarked for Group-D staff in the year 1988 and 1992 and both the occasion he failed. He may be permitted to sit for future examination if he is eligible to sit in accordance with law. The learned counsel for the applicant submits that he will be satisfied if the interim order is followed in his case.

6. In view of the above submission, the interim order passed already is confirmed. The respondents are directed to act in accordance with the interim order.

7. The OA is disposed of as above. No costs.

प्रमाणित प्रति  
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न्यायालय अधिकारी  
COURT OFFICER  
केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal  
हैदराबाद बायपोर्ट  
HYDERABAD BENCH