

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

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O.A.735/94.

Dt.of Decision : 19-6-97.

K.V.Rao

... Applicant.

vs

1. The Director General of Works,  
New Delhi.

.. Respondent.

Counsel for the applicant : Mr.P.B.Vijaya Kumar

CORAM:

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

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

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ORDER

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

Heard Mr.P.B.Vijaya Kumar, learned counsel for the applicant and Mr.V.Bhimanna, learned counsel for the respondents.

2. The case of the applicant as submitted by him are as follows:-

The applicant in this OA is an Assistant Engineer appointed on ~~h.t~~ (Electrical) ~~on~~ regular posts w.e.f., 25-01-79 vide ~~xxx~~ office order No.56/79. In that list he has been placed as No.1 on the basis of the seniority list. His probation was cleared w.e.f., 25-01-81 as Assistant Engineer by office order No.331/82. A seniority list of Assistant Engineers was circulated vide O.M.No. 30/31/89-EC.1, dated 25-09-91. In the said list his seniority was shown at 81-112 with a deemed date of regular promotion as 04-12-77. His probation was once again cleared on 4-2-79 in view of the deemed date of promotion vide office ofder No.154/89. Against the seniority list dated 25-9-91 the applicant submitted a representation dated 14-1-92 protesting against the seniority list shown when he was given deemed date of promotion as 4-12-77. That representation was disposed of by the impugned order No.37/ 8/92-EC-I dated 30-3-92 (Annexure-A-1). It is seen that that representation is disposed of by the Dy.Director of Administration.

3. This OA is filed praying for a direction to the respondents to restore his seniority as reflected in office order No.56/79 and further refixation of pay notionally on par with those Assistant Engineers promoted after him but given higher seniority over the applicant in the present seniority list.

4. The learned counsel for the applicant submits that the respondents have not given him the speaking reply to ~~xxx~~ his representation. The impugned reply dated 30-3-92 is ~~cryptic~~ and does not indicate the reasons for lowering his seniority.

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5. A reply has been filed in this OA. The learned counsel for the applicant submits that he will be satisfied if his case is seen by the Director General of Works, C.P.W.D. Nirman Bhavan, as he was of the opinion that his case was not fully dealt with and he is hopeful that the Director General/Works C.P.W.D. will do justice in his case. In view of the above only ~~he~~ ~~has~~ ~~requested~~ ~~for~~ ~~disposal~~ ~~of~~ his representation by the Director General of Works, C.P.W.D. The learned counsel for the respondents submits that he ~~has~~ ~~no~~ ~~objection~~ ~~to~~ issue such a direction to the Director General, CPWD, to dispose of his representation after personally perusing the same.

6. In view of the above submission, we feel it is not necessary to go into the merits of this case. We leave it to the Director General of Works, CPWD, to examine his case personally and pass suitable speaking order.

7. Time for compliance ~~is~~ three months from the date of

8. No order as to costs.



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

(Q.49)



(R. RANGARAJAN)  
MEMBER(ADMN. P)

Amrit  
D.R. (S) 20-6-97

Dated : The 19th June 1997.  
(Dictated in the Open Court)

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TYPED BY  
DEPLOVED BY

CHECKED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD

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

AND

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

DATED:

735/97 19/6/97

ORDER/JUDGEMENT

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

O.A. NO.

738/97

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 अधिकारण  
Central Administrative Tribunal  
HYDERABAD BENCH  
DESPATCH

14 JUL 1997

HYDERABAD BENCH