

(26)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.615/95

DATE OF ORDER : 25-02-1998.

Between :-

M.Nataraja Mudali

... Applicant

And

1. The Director,
Advance Training Institute,
Vidyanagar, Hyderabad.
2. The DPC Chairman,
Advance Training Institute,
Vidyanagar, Hyderabad.
3. The Director of Training
DGE & T, Ministry of Labour,
Shram Shakthi Bhawan,
New Delhi - 110 001.

... Respondents

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Counsel for the Applicant : Shri T.Lakshmi narayana

Counsel for the Respondents : Shri Kota Bhaskara Rao, Addl.CGSC

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CORAM:

THE HON'BLE SHRI R.R. ANGARAJAN : MEMBER (A)

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

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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... 2.

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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Heard Sri Venkata Ranga Das for Sri T.Lakshminarayana,
counsel for the applicant and Sri Kota Bhaskara Rao, standing
counsel for the respondents.

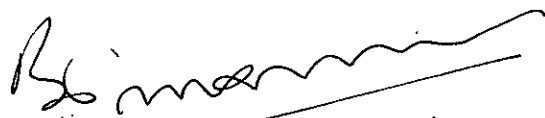
2. No reply has been filed in this OA though the OA was filed on 4-5-95.
3. The applicant in this O.A. submits that he is the senior most Assistant Store Keeper. The counsel for the applicant submits that the post of Store Keeper is a promotional post from the cadre of Asst.Store Keeper. He is not able to say whether the post is to be filled by promotion or by direct recruitment or partly by direct recruitment or by direct recruitment in case the promotion cannot be given to a lower category person. The recruitment rule enclosed to the O.A. is not upto date. Hence we are left with no other alternate^{ive} except to give the following direction :-

If an element of promotion is involved and if the applicant is senior most person for consideration in the feeder category for posting as Store Keeper and he fulfills all the conditions required for consideration for the post of Store Keeper, his case must be considered in accordance with the law *for promotion to the post of Store-keeper.*

4. With the above direction, the O.A. is disposed of. In this connection we express our anguish in the failure of the department to file the reply in the small case even after the lapse of 2 years 9 months from the date of filing of this OA. Remarks of ours should be put up to the respondents whose remarks on this ^{observation} should be communicated to the Bench within 45 days from the date of receipt of a copy

- 3 -

of this order. No order as to costs.

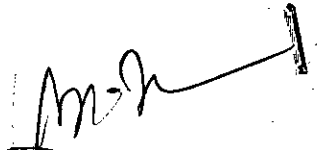

(B.S. JAI PARAMESHWAR)
Member (J)


(R. RANGARAJAN)
Member (A)

25/2/98

Dated: 25th February, 1998.

Dictated in Open Court.


D.R.

avl/


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Copy to:

1. The Director, Advance Training Institute,
Vidyanagar, Hyderabad.
2. The DPC Chairman, Advance Training Institute,
Vidyanagar, Hyderabad.

~~Shram Sankar Training, DGE & T, Min. of Labour,~~

4. One copy to Mr. T. Lakshminarayana, Advocate, CAT, Hyderabad.
5. One copy to Mr. K. Bhaskara Rao, Addl. CGSC, CAT, Hyderabad.
6. One copy to D.R(A), CAT, Hyderabad.
7. One duplicate copy.

YLKR

6/14/98
17/3/98

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CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR. B. RANGARAJAN : M(A)

AND

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

DATED: 25/2/98

~~ORDER/JUDGMENT~~

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

in

S.A.NO.

615/95

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

~~DISPOSED OF WITH DIRECTIONS~~

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

~~ORDERED/REJECTED~~

NO ORDER AS TO COSTS.

II COURT

YLKR

