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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO. 743 of 1995

DATE OF ORDER: 13 FEBRUARY, 1997

BETWEEN:

YOGESH GUPTA

.. APPLICANT

AND

1. Union of India through the Secretary to the Government of India, Ministry of Personnel & Training, North Block, Central Secretariat, New Delhi,
2. Ministry of Home Affairs, through its Secretary, North Block, New Delhi,
3. The State of Rajasthan, through the Chief Secretary to the Govt. of Rajasthan, Secretariat, Jaipur,
4. The State of Maharashtra, represented by its Chief Secretary, Govt. of Maharashtra, Bombay,
5. The State of Kerala represented by its Chief Secretary, Govt. of Kerala, Trivandrum,
6. S.V.P. National Police Academy, through its Director, Hyderabad 500252,
7. Shri Govind Gupta, IPS (Probationer), SVP National Police Academy, Hyderabad 500252,

.. Respondents

COUNSEL FOR THE APPLICANT: Mr. Y. SURYANARAYANA

COUNSEL FOR THE RESPONDENTS: Mr. N. R. DEVARAJ, Sr. CGSC

CORAM:

HON'BLE SHRI JUSTICE M. G. CHAUDHARI, VICE CHAIRMAN

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

JUDGEMENT

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



contd....2

Heard Mr.Y.Suryanarayana, learned counsel for the applicant and Mr. N.R.Devaraj, learned senior standing counsel for the respondents.

2. Mr.N.Shivasailam, Deputy Secretary in the Department of Personnel & Training was present to assist the court.

3. The applicant in this OA appeared for the Civil Services Examination 1991 and qualified in that examination. He secured 98th rank. His home state is Rajasthan. He was posted to Kerala State of Indian Police Service cadre and he underwent training in that cadre also. He submits that Mr.Govind Gupta, R-7 in this OA, who ranks 77 in the said examination has been allotted to Rajasthan. But he did not join training in 1993 along with the applicant's batch and joined only in 1994 and thus became junior to the applicant in the seniority of the IPS. Since the cadre allotment was done in May, 1994, five months after the training had commenced, this fact should have been taken into consideration while allotting the cadre. The applicant is desirous of allotment either for Rajasthan (his home State) or Maharashtra. He challenges the cadre allocation letter No.13016/8/93-AIS(I) dated Jan.1994 (Annexure-II to the OA) addressed to R-6 whereby the applicant was allotted to Kerala State. He has submitted a representation dated 23.5.94 (Annexure-V to the OA) for allotting him Maharashtra cadre. That representation was

disposed of by the impugned order No.13011/6204-AIS(I) dated June,1994 (Annexure VI to the OA). By this impugned letter, he was informed that he was allotted to Kerala as outsider in the first cycle and one Mr.Vinod Thomas was allotted to Kerala as insider in the second cycle. Allotment of the applicant to Kerala State is strictly in accordance with the principles of cadre allocation and hence his request for change of cadre from Kerala to Maharashtra cannot be acceded to.

4. This OA is filed for quashing the impugned order of January, 1994 (Annexure-II) and the letter dated 28.6.94 (Annexure-VI) so far they relate to the allotment of the applicant to the state of Kerala instead of Maharashtra or Rajasthan and for further direction to the respondents to allot him either Rajasthan or Maharashtra State cadre of IPS.

5. In this OA also the main thrust is non follow up of roster system from 1991 batch onwards (1990 examination) and on that basis the applicant submits that he would have allotted to Maharashtra cadre had roster been fully followed in accordance with the policy vide letter dated 30.5.85.

6. The contentions in this OA are similar in nature to the contentions in the other OAs namely OAs 897/94, 895/94, and 896/94 which were disposed of today. For the reasons stated in the orders in those OAs, this OA is also liable to be dismissed. Accordingly it is dismissed. No



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order as to costs.

[Signature]

(R. RANGARAJAN)
MEMBER (ADMN.)

[Signature]

(M. G. CHAUDHARI (J))
VICE CHAIRMAN

DATED: 13 -- FEBRUARY, - 1997

vsn

[Signature]
Deputy Registrar (D. cc.)

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U.A.743/95.

To

1. The Secretary to the Govt.of India,
Union of India, Ministry of Personnel and Training,
North Block, Central Secretariat,
New Delhi.
2. The Secretary, Ministry of Home Affairs,
North Block, New Delhi.
3. The Chief Secretary to the Govt.of Rajasthan,
Secretariat, Jaipur.State of Rajasthan.
4. The Chief Secretary, State of Maharashtra,
Govt.of Maharashtra, Bombay.
Chief
5. The/Secretary, State of Kerala, Trivandrum.
6. The Director, SVP National Police Academy,
Hyderabad-252.
7. One copy to Mr. Y.Suryanarayana, Advocate, CAT.Hyd.
8. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
9. One copy to Library, CAT.Hyd.
10. One spare copy.
11. One copy to D.R.(A) CAT.Hyd.

pvm.

6/3/97

I COURT

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE M.G. CHAUDHARI
VICE-CHAIRMAN

AND

R. Ranga Rao
THE HON'BLE MR. ~~HARAJENDRA DEASAD~~
MEMBER (ADMN)

Dated: 13-2-1997

~~ORDER~~ JUDGMENT

M.A./R.A/C.A. No.

in

O.A. No.

743/95

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.

pvm.

