

(28)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA 988/95.

Dt. of Order:18-4-96.

A.Sudhakar Reddy

...Applicant

Vs.

1. The General Manager,
Ordnance Factory Project,
Ministry of Defence,
Govt. of India,
Eddumailaram, Medak District.

...Respondent

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Counsel for the Applicant : Shri P.Naveen Rao

Counsel for the Respondents : Shri V.Rajeshwar Rao, Addl.CGSC

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CORAM:

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

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

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... 2.

(29)

The applicant in this OA filed earlier OA 17/92 praying for a direction to the respondents to appoint him on some suitable post against the land-loosers quota. The Govt. of A.P. for the purpose of establishment of Ordnance Factory at Eddumailaram, Medak acquired the land belonging to applicant and hence he filed that OA for the relief asked for in that OA. That OA was disposed of directing the respondents to consider the applicant for any post commensurate with the educational qualifications and physical conditions.

2. In pursuance of the direction of this Tribunal in OA 17/92 his case was considered for appointment on the basis of his educational qualifications and physical condition, and was rejected by the impugned letter dt. 12.6.1995 bearing No.02/00058/Estt.

3. Aggrieved by the above rejection he filed this OA for setting aside the impugned letter dt. 12.6.95 and for a consequential direction to the respondents to appoint him in any of the existing vacancies.

4. In addition to the contentions made in the earlier OA, the applicant submits that he is fit for the post of Attender and other unskilled posts. He also produced a letter addressed to the District Employment Officer by the respondents organisation for sponsoring the candidates for the posts of Peons vide letter No.09125/Admn./OFFPM/95 dt. 28.8.1995 (This letter has been taken on record). In view of the fact that the posts of Peons are available in the respondent's organisation, the applicant though physically handicapped person can be appointed to these

posts submits the learned counsel for the applicant and prays for a direction to post him against the posts of Peons, for which employment exchange has been approached.

5. The learned Standing Counsel submits that the present OA is for the same prayer as was prayed for in the earlier OA 17/92. But, the applicant has filed this OA against the rejection of his representation. Hence, the contention raised by the Standing Counsel that this OA is barred by res-judicata cannot be upheld. All other contentions raised in this OA by the respondents have been considered already in OA 17/92 and no other new contention has been raised now except the contention of res-judicata.

6. In para-8 of the reply, the respondents state as follows:-

"The educational qualifications of the applicant is SSC Pass and his age is 29 years. Keeping in view of his educational qualification, the applicant can be accommodated only in unskilled posts and that too subject to availability of vacancies."

In view of the above averments, the applicant has to be considered for unskilled posts whenever such vacancy arises in future giving him age relaxation. As the applicant's counsel states that a requisition has been placed on the Employment Exchange for supply of candidates for the post of Peon, the respondents may consider the case of the applicant also along with others for the post

of Peon if he is otherwise suitable giving him age relaxation provided the selection and appointments for the posts of Peon is still pending.

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

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(Referred to the Court)

Dated 18th April, 1996.
Dictated in open court.

av/grh.

[Handwritten signature]
Dy. Registrar (J)

Contd...

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O.A.NO.988/85

Copy to

1. The General Manager,
Ordnance Factory Project,
Ministry of Defence,
Govt. of India,
Eddumailaram, Eluru
Medak District.
2. One copy to Mr.P.Naveen Rao, Advocate,
CAT, Hyderabad.
3. One copy to Mr.V.Rajeswar Rao, Addl.CGSC,
CAT, Hyderabad.
4. One copy to Library,CAT,Hyderabad.
5. One spare copy.

YLKR

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : MEA)

DATED: 18.6.96

ORDER/JUDGEMENT

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

IN

M.A. NO. 988/95

ADMITTED AND INTERIM DIRECTIO

ALLOWED:

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED. ✓

NO ORDERS AS TO COSTS

* * *

No. 47

