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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A. 1276/95.

Dt. of Decision : 14-12-95.

D. Nagabhushanam

.. Applicant.

Vs

1. The Chief Personnel Officer,
SC Rly, Secunderabad.
2. The Sr.Divl. Personnel Officer,
SCRly, Guntakal,
Ananthapur District.
3. The Chief Mech. Engineer,
SC Rly, Rail Nilayam,
Secunderabad.
4. The Divl. Railway Manager,
SC Rly, Guntakal,
Ananthapur District.
5. The Sr.Divl. Mech. Engineer,
SC Rly, Guntakal,
Ananthapur District.

.. Respondents.

Counsel for the Applicant : Mr. P. Sridhar Reddy

Counsel for the Respondents : Mr. G.S. Sanghi, SC for Rlys.

CORAM:

THE HON'BLE SHRI JUSTICE V. NEELADRI RAO : VICE CHAIRMAN

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

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O.A.NO.1276/95.

JUDGEMENT

Dt: 14.12.95

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN)

Heard Shri G.S.Sanghi, learned standing counsel for the respondents.

2. This OA was filed praying for declaration that the action of the respondents in not providing alternative employment to the applicant who is medically decategorised, ~~either~~ as Clerk/Train Clerk/Ticket Collector and merely providing him alternative post of C&W fitter when the applicant is suffering with irritant allergic dermatitis, is illegal, arbitrary and discriminatory and hence the order dated 7.9.95 whereby he was offered the post of C&W Fitter has to be quashed and to direct the respondents to consider his case for appointment in the alternative post of Clerk/Train Clerk/Ticket Collector.

3. When this OA was listed yesterday for consideration in regard to admission, no one was present for the applicant. But Shri G.S.Sanghi, learned standing counsel for the respondents produced the letter addressed to him by DRM(P), Guntakal wherein it is stated that the applicant was already advised to

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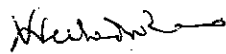
.. 3 ..

attend the office of DRM(P) Guntakal (R-2 herein)
in
for medical examination ~~the~~ medical group for
consideration for the post of Train Clerk and
hence it is stated that this OA had be-come infru-
ctuous.

4. When this OA was listed ^{even} today ~~even~~ for
dismissal, no one is present for the applicant.

5. The OA is dismissed for default. No costs. //


(R. RANGARAJAN)
MEMBER (ADMN.)


(V. NEELADRI RAO)
VICE CHAIRMAN

DATED: 14th December, 1995.
Open court dictation.


Deputy Registrar(J)CC

vsn

To

1. The Chief Personnel Officer, S.C.Rly,
Secunderabad.
2. The Sr.Divisional Personnel Officer,
S.C.Rly, Guntakal, Anantapur Dist.
3. The Chief Mechanical Engineer,
SC Rly, Railnilayam, Secunderabad.
4. The Divisional Railway Manager, SC Rly,
Guntakal, Anantapur Dist.
5. The Sr.Divisional Mechanical Engineer,
SC Rly, Guntakal, Anantapur Dist.
6. One copy to Mr.F.Sridhar Reddy, Advocate, CAT.Hyd.
7. One copy to Mr.G.S.Sanghi, SC for Rlys CAT.Hyd.
8. One copy to Library, CAT.Hyd.
9. One spare copy.

pvm

I COURT

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COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE CHAIRMAN

AND

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

Dated: 14-12-1995

ORDER/JUDGMENT

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

in

O.A.No.

1276/95

T.A.No.

(w.p.No.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

No Spare Copy

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal

भेजक/DESPATCH

- 9 JAN 1996 NSY

हैदराबाद बेंच
HYDERABAD BENCH