

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

O.A.NO. 1463/95

Date of Order: 11-12-95

Between:

B.Panduranga Rao.

.. Applicant

and

1. The Union of India,
rep. by its Secretary to Govt.,
Department of Space, New BEL Road,
Anthariksha Bhavan,
Bangalore.
2. The National Remote Sensing Agency
Balanagar, Hyderabad-42, rep. by
its Secretary.
3. The Director, National Remote Sensing Agency,
Department of Space, Balanagar, Hyderabad.

Respondents.

For the Applicant :- Mr. N.Rammohan Rao, Advocate.

For the Respondents: Mr. N.R.Devraj, Sr.CGSC.

~~Sr./Add CGSC~~

CORAM:

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

THE HON'BLE MR.RANGARAJAN : MEMBER(ADMN)

JUDGMENT

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE Dt: 11.12.95
CHAIRMAN)

Heard Shri N.Ramamohan Rao, learned counsel for the applicant and Shri N.R.Devaraj, learned standing counsel for the respondents.

2. This OA was filed praying for the following reliefs:

i) To declare the action of the Department of Space, Govt. of India, Bangalore in not conveying the approval to the proposals for sanctioning of additional manpower strength to the National Remote Sensing Agency so far, as totally arbitrary, unjust and unsustainable;

b) To direct the first respondent to finalise and convey the approval for the proposals of the National Remote Sensing Agency for sanction of the additional manpower on a regular basis within a period of two months;

c) On the above basis, to direct the respondents 2 and 3 herein to regularise the service of the applicant as Technical Assistant-A (Civil) in the Engineering and Maintenance Division, National Remote Sensing Agency (NRSA), Balanagar, Hyderabad; and

d) To declare the action of the respondents 2 and 3 herein in seeking to alter the nature of the employment of the applicant pending receipt of approval from the first respondent as arbitrary, illegal, unjust and unsustainable.

2. It is pleaded for the applicant that he was selected and appointed as Technical Assistant-A(Civil) under the National Remote Sensing Agency (NRSA), Balanagar, Hyderabad (R-2 herein)

To

1. The Secretary to Govt.,
Union of India, Dept.of Space,
New BEL Road, Anthariksha Bhavan,
Bangalore.
2. The Secretary, National Remote Sensing Agency
Balanagar, Hyderabad-42.
3. The Director, National Remote Sensing Agency,
Dept.of Space, Balanagar, Hyderabad.
4. One copy to Mr.N.Rammohan Rao, Advocate, CAT.Hyd.
5. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
6. One spare copy.
7. One copy to Library, CAT.Hyd.

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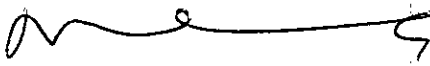
and he was removed from service for want of sanction for the said post. The sanction has to be given for the said post by the Department of Space, New Delhi.

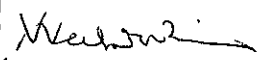
3. It is not in controversy that NRSA was registered as a Society under the Societies Registration Act and it is under the control of the Department of Space under the Ministry of Science and Technology, Govt. of India. Section 14(3) of the Administrative Tribunals Act, 1985 lays down that, "Central Administrative Tribunal shall also exercise on and from the date with effect from which the provisions of this sub-section apply to any local or other authority or corporation (or society), all the jurisdiction, powers and authority exercisable immediately before that date by all courts (except the Supreme Court) in relation to"

5. Shri N.R.Devaraj, learned standing counsel for R-1 submitted that he was instructed to state that no notification was issued under Section 14(3) of the A.T.Act in regard to R-2 Society. The learned counsel for the applicant submitted that he has not come across any such ~~information~~ notification.

6. Hence it is necessary to return this OA for being filed before proper forum.


7. Return the OA for filing it before proper forum. The OA is ordered accordingly. No costs.//


(R.RANGARAJAN)
MEMBER (ADMN.)


(V.NEELADRI RAO)
VICE CHAIRMAN

Dated: 11th December, 1995
Open court dictation.

vsn


13/12/95
Deputy Registrar(S)cc

urgent

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRIRAO
VICE CHAIRMAN

AND

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

DATED: 11 - 12 - 1995

ORDER/JUDGMENT

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

O.A.No. 1463 / 95 in
T.A.No. (W.P.No.)

Admitted and Interim directions
Issued.

Return the OA papers
Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

No Spare Copy

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