

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.160/95

date of decision : 14-2-95

Between

Cheruku Malli Hari Babu

Applicant

and

1. General Manager
South Central Railway
Rail Nilayam, Secunderabad

2. Chief Personnel Officer
SC Rly., Rail Nilayam
Secunderabad

3. Dy. Chief Mechanical Engr.
Guntapalli Wagon Workshop
SC Rly., Guntapalli
Krishna Dist.

Respondents

Counsel for the applicant

P. Krishna Reddy,
Advocate

מ. שפוט מלח, זל וזל פלז.

CORAM

HON. MR. JUSTICE V. NEELADRI RAO, VICE CHAIRMAN

HON. MR. R. RANGARAJAN, MEMBER (ADMN.)

O.A.No.160/95

Dt. of decision: 14/1/95

JUDGEMENT

X As per Hon'ble Sri R. Rangarajan, Member (A) X

Heard.

2. The applicant herein is the son of one Sri Ch. Seshagiri Rao who has surrendered landed property under Sy.No.217/2 to the Railway authorities for construction of Wagon Workshop, Guntupalli. He then applied for employment under the Scheme made out by the Railway Ministry to engage persons of families displaced as a result of acquisition of land for the establishment of project in terms of Railway Board's Lr.No.E(NG)II/RC/1/95, dt.31.12.82/1.1.83. As his request for employment assistance was negatived by the Railways, he filed OA No.1807/92 which was disposed
has to be considered for appointment irrespective of cut off date prescribed by the Railway authorities for consideration for appointment against the land losers quota. In that OA, probably the applicant has not urged for considering his case giving relaxation to his age as he was over aged at that time itself.

3. In terms of the judgement in OA 1087/92 on the file of this Bench, the case of the applicant herein was considered by R-3 and he was found ineligible for appointment as he was over aged, as conveyed by the letter No.GR/P.565/3/Vol.II, dt.7.2.94.

To

1. The General Manager, S.C.Rly,
Railnilayam, Secunderabad.
2. The Chief Personnel Officer, S.C.Rly,
Railnilayam, Secunderabad.
3. The Deputy Chief Mechanical Engineer,
Guntupalli Wagon Workshop, S.C.Rly
Guntupally Krishna Dist.
4. One copy to Mr.P.Krishna Reddy, Advocate, CAT.Hyd.
5. One copy to Mr.D.Gopal Rao, SC for Rlys. CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

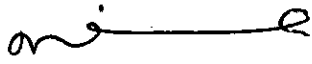
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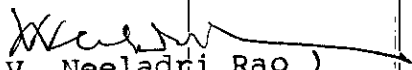
4. Aggrieved by the above, the applicant has filed this OA for setting aside the letter dt. 7-2-94 by which his claim for appointment was rejected as he was over-aged and for a further direction to appoint him in Wagon Workshop, Guntupalli in any post either in Group-D or Group-C for which he was eligible based on his educational qualification, pursuant to the order dt. 7.9.93 of this Tribunal in OA 1087/92.

5. The learned counsel for the applicant has brought to our notice the decision of this Tribunal dt. 8-2-94 in OA 703/91 where the applicant therein was similarly situated and over aged. This Tribunal in that O.A. directed the respondents therein to appoint the applicant in that O.A. duly relaxing the upper age limit. As the applicant herein is similarly placed as the applicant in OA 703/91, there is no reason to differ from the judgement quoted above in giving direction to the respondents to relax the upper age limit for the applicant herein also.

6. In the result, the letter of R-3, dt. 7-2-94 is set aside and R-3 is directed to consider the applicant for appointment either in Group-D or Group-C depending upon his educational qualification duly relaxing the upper age limit and the cut off date for submission of application provided none from his family had already been given appointment against the quota of land displaced persons.

7. The OA is ordered accordingly at the admission stage.
No costs./


(R. Rangarajan)
Member (A)


(V. Neeladri Rao)
Vice Chairman

Dt. 13/2-2-1995.

kmv


17/2/95

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRIKAR
VICE-CHAIRMAN

AND

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

DATED: 14-2-1994

~~ORDER~~ JUDGEMENT:

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

in

O.A.No.

160/95

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

No spare copy

