

(18)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

D.A. 292/95.

Dt. of Decision : 13-3-95.

Mrs. Marupudi Shiva Parvathi

.. Applicant.

vs

1. General Manager,
SC Rly, Rail Nilayam,
Secunderabad.

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

3. Dy. Chief Mechanical Engineer,
Guntupalli Wagon Workshop,
SC Rly, Guntupalli, Krishna District. .. Respondents.

Counsel for the Applicant : Mr. P. Krishna Reddy

Counsel for the Respondents : Mr. J. Siddaiah, SC for Rlys.

CORAM:

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

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

JUDGMENT

I as per Hon'ble Sri R.Rangarajan, Member(Administrative)

Heard Sri P.Krishna Reddy, learned counsel for the applicant and Sri C.V.Malla Reddy, learned Standing Counsel for the respondents.

2. The applicant herein is the wife of Sri Sambasiva Rao who had surrendered landed property under Survey No.77/2A (Acs.3.00 cents of land) to the Railway authorities for construction of Wagon Workshop at Guntur. The applicant 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 establishment of project in terms of Railway Board's Lr.No.E(NG)/II/RC/1/95, dt. 31.12.1982/1.1.1983. As her request for employment assistance was negatived by the Railways, she filed OA 1085/92 which was disposed of on 13-7-1993. As per that judgment the applicant 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 her case giving relaxation to her age as she was overaged at that time

3. In terms of the judgment in OA 1085/92 on the file of this Bench, the case of the applicant herein was considered by R-3 and she was found ineligible for appointment as she was over aged, as conveyed by letter No.GR/p.565/3/Vol.II dt. 7.2.1994.

10

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

pvm

REFERENCES AND NOTES

(2c)

4. Aggrieved by the above, the applicant has filed this OA for setting aside the letter dt. 7.2.1994 by which her claim for appointment was rejected as she was over-aged and for a further direction to appoint her in Wagon Workshop, Guntupalli in any post either in Group 'D' or Group 'C' for which she was eligible based on her educational qualifications pursuant to the order dt. 15.7.1993 of this Tribunal in OA 1085/92..

5. The learned counsel for the applicant has brought to our notice the decision of this Tribunal dt. 8.2.1994 in OA 703/91 where the applicant therein was similarly situated and over aged. This Tribunal in that OA directed the respondents therein to appoint the applicant in that OA duly relaxing the upper age limit. As the applicant herein is similarly placed as the applicant in OA 703/91 we see no reason to differ from the judgment quoted above ~~in making application to the respondents to relax the upper age limit for the applicant herein also.~~

6. In the result, the letter of R-3 dt. 7.2.1994 is set aside and R-3 is directed to consider the applicant for appointment either in Group 'D' or Group 'C' depending upon her educational qualification duly relaxing the upper age limit and the cut off date for submission of application provided none from her family had already been given appointment against the quota of land displaced persons.

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

one

(R.Rangarajan)
Member (Admn.)

V.Neeladri Rao
(V.Neeladri Rao)
Vice-Chairman

Dated 15th March, 1995.

Grh.

Ambrish
13-3-95
Deputy Registrar (O)C

TYPED BY

CHECKED BY

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(ADMN)

DATED - 13 - 3 1995.

ORDER/JUDGMENT:

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

O. A. No.

in
292195

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.

NO Space copy

BB
13/3/95

