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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A. 293/95.

Dt. of Decision : 13-3-95.

Narra Koteswara Rao

.. Applicant.

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. C.V. Malla Reddy, Addl. CGSC.

CORAM:

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

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

19

O.A.No.293/95.

Date: 13-3-1995.

JUDGMENT

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

Heard Sri P.Krishna Reddy, learned counsel for the applicant and Sri Jalli Siddaiah, learned Standing Counsel for the respondents.

2. The applicant herein had surrendered landed property owned by him under Survey No.90/1 (Acs.0-86½ cts.) 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 letter 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 had filed OA 1086/92 which was disposed of on 15.7.1993. 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 his case giving relaxation to his age as he was over aged at that time itself.

3. In terms of the judgment in OA 1086/92 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. 7.2.1994.

...3/-



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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,  
Guntupalli, Krishna Dist.
4. One copy to Mr.P.Krishna Reddy, Advocate, CAT.Hyd.
5. One copy to Mr.J.Siddaiah, SC for Rlys, CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

pvm

edger  
13/3/05

(Signature)

4. Aggrieved by the above, the applicant has filed this OA for setting aside the letter dt. 7.2.1994 by which his claim for appointment was rejected as he was overaged 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 is eligible based on his educational qualification pursuant to the order dt. 15.7.1993 of this Tribunal in OA 1086/92.

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 overaged. 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 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. 7.2.1994 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 itself. No costs.

.....  
(R. Rangarajan)  
Member (Admn.)

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

Dated 15<sup>th</sup> March, 1995.

Grh.

Deputy Registrar (S) 3-395

TYPED BY

CHECK

COMPARED BY

APPROVED

IN THE CENTRAL ADMINISTRATIVE  
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.

in

O.A. No.

203/95

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.

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*DR*  
*13/3/05*

