

90

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD
BENCH: AT HYDERABAD

OA 30/95

Date of order: 5.1.95

BETWEEN:

1. D.V. Prasad

2. B. Mangaraju ..

Applicants

AND

1. Union of India rep. by
the General Manager,
S.E. Railway,
Calcutta-43.

2. The Chief Personnel Officer (Admn),
S.E. Railway,
Calcutta-43.

3. The Divisional Railway Manager,
Visakhapatnam-530004. ..

Respondents

COUNSEL FOR THE APPLICANT: SHRI P.B. VIJAYA KUMAR

COUNSEL FOR THE RESPONDENTS: SHRI C.V. MALLA REDDY

CORAM:

Hon'ble Shri Justice V. Neeladri Rao, Vice Chairman

Hon'ble Shri R. Rangarajan, Member (Admn.).

contd..

21

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

O R D E R

Heard Shri P.B. Vijaya Kumar, learned counsel for the applicant and also Shri C.V. Malla Reddy, learned standing counsel for the Respondents.

2. Notice before admission.

The 2 applicants claimed that they are the porters in the commercial department and they are permitted to work in the construction organisation and thus they are having lien in the commercial department. By order dated 10-12-94, various categories of employees in the commercial department including the porters were informed that selection to form a panel of 10 candidates (9 UR+1ST) for promotion to the post of Ticket Collectors in scale Rs. 950-1500 (RPS) against departmental quota was proposed, and the employees of the above categories who had put in regular service of 3 years are free to appear for the said selection. It is stated for the applicants that they submitted their applications in time and it is further stated for the applicants that they were orally informed that their applications were rejected as they are not having regular service of 3 years as porters.

3. It is conceded even for the applicants that they are not having regular service of 3 years as porters by the cut off date. But they are relying upon Establishment Sl. No. 243/64 circular No. P/R/Class IV dated 20-8-64 to urge that all continuous temporary service preceding permanent

To

1. The General Manager, Union of India,
S.E.Railway, Calcutta-43.
2. The Chief Personnel Officer(Admn.)
S.E.Rly, Calcutta-43.
3. The Divisional Railway Manager, S.E.Rly,
Visakhapatnam-4.
4. One copy to Mr.P.B.Vijayakumar, ~~SC~~ SC for Rlys, CAT.Hyd.
6. One spare copy.

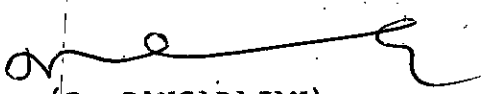
pvm

(22)

absorption in the regular cadre may be counted for reckoning 5 years of qualifying service. In such ^acases, it is stated for the applicants that if their continuous temporary service prior to regularisation is going to be taken into consideration, they are having eligible service of 3 years. (Qualifying service of 5 years was reduced to 3 years by letter dated 23-8-1969.) The learned standing counsel for the Respondents prays for time in order to have instructions ~~then this circular dated 20-8-94~~ 20-8-64 referred to supra stood replaced by U.M. or any circular or letter of an earlier date.

4. But it is stated that the written test is going to be conducted on 7-1-95. As the learned counsel for the Respondents prays for time beyond 7-1-95, it is just and proper to pass the following Interim orders.

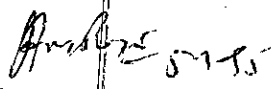
5. R3 has to permit the 2 applicants to appear for the written test to be conducted on 7-1-95 for selection of Ticket Collectors, or any date if it is going to be postponed later as per notification dated 10-12-94. If they are qualified in the written examination, they should not be called for interview until further orders. ~~Call~~
on 20.1.1995.


(R. RANGARAJAN)
Member (Admn.)


(V. NEELADRI RAO)
Vice-Chairman

Dated the 5th January, 1994
Open court dictation

NS


Deputy Registrar (CC)

TYPED BY

C.C. today
5/1/95
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 (ADMIN)

DATED: 5-1-1994

ORDER/JUDGEMENT:

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

in
O.A.No. 30/95

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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