

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..

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

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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 cate-  
gories 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  
quotas 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

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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 for Rlys, CAT.Hyd.
6. One spare copy.

pvm

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absorption in the regular cadre may be counted for reckoning 5 years of qualifying service.

In such cases, 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

~~than this circular dated 20-8-94 to 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, on 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. *on 20.1.1995.*

*On*  
(R. RANGARAJAN)  
Member (Admn.)

*W.M.D.*  
(V. NEELADRI RAO)  
Vice-Chairman

Dated the 5th January, 1994  
Open court dictation

NS

*Ans. 25/1/95*  
Deputy Registrar (S)CC

*c.c. today*  
5/1/95

TYPED BY

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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/JUDGEMTN:

— —  
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.

DVM

