

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD.

O.A.NO. 563/95

DATE OF JUDGMENT: 4.5.95

19

BETWEEN:

B.Jagan Mohan

.. Applicant.

A N D

1. The Chief Personnel Officer,
South Central Railway, Rail Nilayam,
Secunderabad.
2. The Deputy Chief Mechanical Engineer,
Carriage Repair Shop, Tirupathi,
Chittoor District.
3. The Workshop Personnel Officer,
Carriage Repair Shop, Tirupathi. .. Respondents.

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COUNSEL FOR THE APPLICANT: SHRI P.Sridhar Reddy

COUNSEL FOR THE RESPONDENTS: SHRI D.F.Paul
Sr./Adfl.CGSC

CORAM:

HON'BLE SHRI JUSTICE-V.NEELADRI RAO, VICE CHAIRMAN
HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

CONTD....

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JUDGMENT

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

Heard Sri P.Sridhar Reddy, learned counsel for the applicant and Sri D.F.Paul, learned Standing Counsel for the respondents.

2. The Deputy Chief Mechanical Engineer, Carriage Repair Shop, Tirupathi (R-2) issued a notification in 1984 for recruitment of Skilled Artisans in various trades. The applicant fulfilled the qualifications and --- the same. After the selection, comprising written test, viva-voce and ~~procedural~~ ~~process~~ the applicant was empanelled against his trade vide proceedings dated 21.3.1987. Due to the low position in the panel, the applicant could not get appointment to the Skilled Artisan for which he had been empanelled. The respondents instead offered Group 'D' post in the lower scale of Rs.750-940 in Guntakal Division in Diesel Sheds i.e. at Gooti and Guntakal. The applicant was informed that if he accept the offer of appointment in Group 'D' post by the stipulated date he would forego his eligibility for direct appointment in Skilled Artisan category. He was also advised that in case he does not accept the offer for Group 'D', he would have to wait for his turn for appointment with the currency of panel subject to vacancies arises during the currency of panel. The life of the panel expired by 20.9.1991.

3. The applicant accepted the offer of appointment within stipulated time and also the terms and conditions. He had been waiting for appointment in Group 'D' post and had been making number of representations which had been of no avail.

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Copy to:-

1. The Chief Personnel Officer, South Central Railway,
Secunderabad.
2. The Deputy Chief Mechanical Engineer, Carriage Repair
Shop, Tirupathi, Chittoor District.
3. The Workshop Personnel Officer, Carriage Repair Shop,
Tirupathi.
4. One copy to Sri. P.Sridhar Reddy, advocate, CAT, Hyd.
5. One copy to Sri. D.F.Paul, SC for Rlys, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

Patel J. M. S. R.

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1. The Chief Personnel Officer, South Central Railway, Railnilayam, Secunderabad.
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7. One spare copy.

Rsm/-

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4. while so, the respondents issued various employment notifications dt. 17.6.1991, and 18.6.1991 for filling up vacancies in Group 'D' and notification dt. 17.3.1993 for filling up vacancies of Skilled Artisans. This OA has been filed for directions to the respondents to appoint the applicant as Skilled Artisan or atleast as Khalasi in Group 'D'.

5. In a similar OA No.538/93 which was disposed of by order dt. 28.8.1993, it was held as under:-

"In the result, the OA is disposed of with a direction to the respondents that as and when Group 'D' posts in the outsiders quota are available in Carriage Repair Workshop, Tirupathi, or anywhere else in Guntakal Division, the applicants should be considered first before considering any other candidate for the employment in Group 'D' post. No order as to costs."

6. As the contentions in this OA are similar to the OA referred to above, we see no reason to differ with the direction as above subject to the condition that the applicant applied for Group 'D' post within the stipulated time and also accepted the terms and conditions stipulated therein.

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

dr
(R.Rangarajan)
Member (Admn.)

Neeladri Rao
(V.Neeladri Rao)
Vice Chairman

Dated 4 May, 1995.

Grh.

Arshu
Dy. Registrar (S)

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DA 563/95

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COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE CHAIRMAN

A N D

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

DATED 4/5/95 1995.

ORDER/JUDGMENT:

M.A./R.A./C.A. NO.

OA. NO. 563/95

TA. 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.

DA 563/95
22/6/95

No Spare Copy

