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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A. No. 987/96

DATE OF ORDER : 24-8-1998

BETWEEN :

D. Raju Naidu

... Applicant

AND

1. The Divisional Railway Manager  
South Eastern Railway  
Waltair Division  
Visakhapatnam
2. The General Manager  
South Eastern Railway  
Garden Reach  
Calcutta.
3. Regional Employment Officer  
Employment Exchange  
Maharanipeta,  
Visakhapatnam 530 002.
4. Union of India represented by  
The Secretary,  
Rail Bhavan  
New Delhi.
5. The Railway Board  
represented by its Chairman,  
Rail Bhavan  
New Delhi.

Counsel for the Applicant - Shri M. Kesava Rao

Counsel for the Respondents - Shri C.V. Malla Reddy

Counsel for the State of A.P. - Shri P. Naveena Rao

Coram :

The Hon'ble Shri Justice D.H. Nasir - Vice Chairman

The Hon'ble Shri H. Rajendra Prasad - Member (A)

(Order per Hon'ble Shri H. Rajendra Prasad, Member (A))

Heard Shri M. Kesava Rao for the Applicant,  
Shri C.V. Malla Reddy for the Respondents and Shri P. Naveen  
Rao for the Government of Andhra Pradesh (R-3).

*[Signature]*

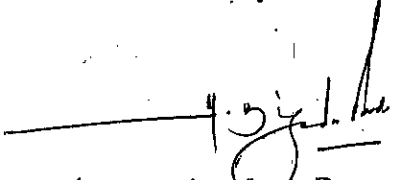
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The matter has been reconsidered on the basis of the facts contained in the O.A. as well as in the counter-affidavit.

The following direction is issued :

If the applicant had been permitted to appear for the test/examination/interview held on 7-9-1997, or on any subsequent date, in pursuance of the interim orders passed by this Tribunal on 3-9-1997, the results of the said examination shall be declared forthwith, and the merit-based selected candidate shall be appointed now. This is in keeping with the judgement of Hon'ble Supreme Court in Excise Supdt. Malakapatnam, Krishna Dist., A.P. Vs K.B.N. Visweshwara Rao and others (1996) (6) SCALE 676, as well as Government of India, Department of Personnel and Training O.M. No. 14024/2/96-Estt.(D) dated 18-5-1998.

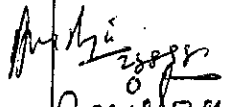
Thus, the O.A is disposed of finally. No costs.

  
(H. Rajendra Prasad)  
Member (A)

  
(D.H. Nasir)  
Vice Chairman (J)

DICTATED IN OPEN COURT

DATED : 24-8-1998.

  
Deputy Registrar

...js/-

-3-

O.A987/96

To

1. The Divisional Railway Manager,  
SE Rly, Waltair Division, Visakhapatnam.
2. The General Manager,  
SE Rly, Garden Reach, Calcutta.
3. The Regional Employment Officer,  
Employment Exchange, Maharani-peta,  
Visakhapatnam-2.
4. The Secretary, Union of India,  
Railbhavan, New Delhi.
5. The Chairman, Railway Board,  
Railbhavan, New Delhi.
6. One copy to Mr.M.Kesava Rao, Advocate, CAT.Hyd.
7. One copy to Mr.C.V.Malla Reddy, SC for Rlys, CAT.Hyd.
8. One copy to Mr.P.Naveen Rao, Spl.Counsel for A.P.Govt.CAT.Hyd.
9. One copy to HHRP.M.(A) CAT.Hyd.
10. One copy to DR(A) CAT.Hyd.
11. One spare copy.

pvm:

10/9/98

I COURT

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE D.H. NASTR

VICE-CHAIRMAN  
AND

THE HON'BLE MR. H. RAJENDRA PRASAD: M(A)

DATED: 24-8-1998.

ORDER/JUDGMENT

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

in

O.A.No. 987/96

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.

pvm.

