

(7)

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

OA.992/96

DATE OF DECISION 29-11-96

B.N. Murthy and 2 others

(PETITIONER (S))

K.K. Chakravarthy

ADVOCATE FOR THE
PETITIONER (S)

VERSUS
Union of India, rep. by Secretary
M/o Communications, D/o Telecom, Sanchar Bhavan
New Delhi and 29 others

N.R. Devaraj

ADVOCATE FOR THE
RESPONDENT (S)

THE HON'BLE SHRI JUSTICE M.G. CHAUDHARI, VICE CHAIRMAN

THE HON'BLE SHRI H. RAJENDRA PRASAD, MEMBER (ADMN.)

1. Whether reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgement?
4. Whether the Judgement is to be circulated to the other Benches?

Judgement delivered by Hon'ble Shri Justice MG Chaudhari, VC

O.A.NO. 292/96.

Date of Order: 29-11-96.

Between:

1. B.N.Murthy.
2. V.V.Krishna Reddy.
3. K.Govindaswamy

.. Applicants.

and

1. Union of India, rep. by its Secretary,
Min.of Communications, Dept.of Telecoms,
Sanchar Bhavan, New Delhi.
2. The Director(ST-II) Min.of Communications,
Dept.of Telecommunications, Sanchar Bhavan, New Delhi.
3. The Chief General Manager, Telecoms,
Andhra Circle, A.P.Hyderabad.
4. The Telecom List Manager,
Dept.of Telecommunications,
Tirupati, Chittoor Dist.A.P.
5. The Sub Divisional Engineer(HRD)
O/o the Telecom List Manager, A.P.Tirupati-501.
6. M.Sembasiva Pillai. LIO, Pakala.
7. M.Murali, GI Tirupati
8. P.Narasimha Rao. LIO Tirupati.
9. A.Doraikanna. LIO Puttoor.
10. G.Chandraiah.
11. K.Moulali SI, Chittoor.
12. S.Harinath SI Nalgapuram.
13. V.Venkatraju, LIO, Chittoor.
14. K.N.Ramaprasad, SIO Puttoor.
15. B.C.Reddappa. SIO Palamaneru.
16. P.Subramanyam. SIO Chittoor.
17. S.K.Abdul Gaffoor. SIO, Palamaneru.
18. G.Venkataramanaiah, SIO, Pileru.
19. S.Narappa Raju, SIO Sathyavedu.
20. N.Lakshmaiah, SIO, Tirupathi.
21. K.Ramachandraiah, SIO Madanapalli.
22. M.D.Abdul Shukur. SIO, Pakala.
23. N.Mellikarjuna SIO Tirumala.

- 24. C. Balaiah, SIO, Tirupathi
- 25. D. Munuswamy Naidu, SIO, Chittoor
- 26. M. Subbarayulu, SIO, Chittoor
- 27. N. Adinarayana, Lineman, Chittoor
- 28. A. Krishnaiah, Lineman, Puttur
- 29. K. Nagaraja, Lineman, Puttur
- 30. T. Siddappa, Lineman, Tirupathi : Respondents

Counsel for the applicants : K.K. Chakravarthy
Advocate

Counsel for the respondents : N.R. Devaraj
Sr.CGSC

Coram

HON. MR. JUSTICE M.G. CHAUDHARI, VICE CHAIRMAN

HON. MR. H. RAJENDRA PRASAD, MEMBER (ADMN.)

(10)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.992/96

da.29-11-96

B.N. Murthy and 2 others Vs. Union of India, rep. by
Secretary, M/o Communications, D/o Telecommunications,
Sanchar Bhavan, New Delhi and 29 others.

ORDER

Mr. K.K. Chakravarthy for the applicants. Mr. W.
Satyanarayana for Mr. N.R. Devaraj for the respondents.

2. Vide order separately passed on RA.116/96, ~~OA-13 by~~
consent taken up for final order.

3. For the reasons recorded separately today in the
order in OA.1007/96, the OA is allowed to be withdrawn as
prayed and the following order is passed :

Learned counsel for the applicants seeks to withdraw
the OA on the ground that it has been rendered infructuous
in view of the fact that OM dated 11-7-96 on the basis on which
the impugned OM was issued itself has been withdrawn by the
DOT letter No.7-27/94-NCG dated 9-9-96 and in order to
enable the applicants to avail of the steps as may be taken
up by the respondents in view of the withdrawal of the said
OM. We are satisfied that the OA may be allowed to be
withdrawn for the reasons stated by the learned counsel. It
is also apparent that on the date on which the order was
passed the OM had already been withdrawn and the cause of
action of the applicants had become infructuous.

4. The OA is accordingly allowed to be withdrawn with
the clarification that the applicants will be eligible to
be dealt with in accordance with the action as may have been

..2.

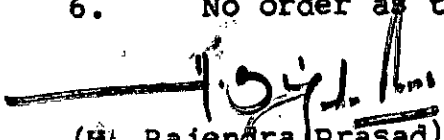


(12)

proposed to be taken up by the respondents consequent upon the withdrawal of the OM dated 11-7-96.

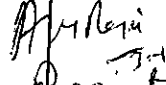
5. We have passed the above order on the assumption that since the impugned OM dated 6-8-1996 was based on OM dated 11-7-96 as a consequence of the withdrawal of the OM dated 11-7-96 by the DOT memo dated 6-8-96, has been rendered ineffective and inoperative.

6. No order as to costs.


(H. Rajendra Prasad)
Member (Admn.)


(M.G. Chaudhari)
Vice Chairman

Dated : November 29, 96
Dictated in Open Court


Deputy Registrar (D)

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