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CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : HYDERABAD.

RA.109/96 C.A.No.1007/96  
in T.A.No.

DATE OF DECISION: 29-11-96

J. Devakatacham & another

PETITIONER(S)

K.K. Chakravarthi

ADVOCATE FOR THE PETITIONER(S)

VERSUS  
CGM, Telecom, Hyderabad  
and others,

RESPONDENT (S)

N.R. Devaraj

ADVOCATE FOR THE  
RESPONDENT (S)

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

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

1. Whether Reporters of local papers may be allowed to see the judgement? yes
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgement ? NO
4. Whether the Judgement is to be circulated to the other Benches ? full

Judgement delivered by Hon'ble **Mr. Justice M.G. Chaudhari, VC**

(21)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH  
AT HYDERABAD

RA.109/96 in  
OA.1007/96

dt.29-11-96

Between

1. J. Devakatacham
2. N. Chinna Dorai

.. Applicants

and

1. Chief General Manager  
Telecommunications, Hyderabad

2. District Manager  
Telecommunications, Tirupathi

3. Sub Divnl. Engineer HRD  
O/o Telecommunications District Maager  
Tirupati 517501

.. Official respondents

- |                        |                        |
|------------------------|------------------------|
| 4. M. Sambasiva Pillai | 17. S. Narappa Raju    |
| 5. M. Murali           | 18. N. Lakshmaiah      |
| 6. P. Narasimha Rao    | 19. K. Ramachandraiah  |
| 7. A. Doraikanna       | 20. M.D. Abdul Shukur  |
| 8. G. Chandraiah       | 21. M. Mallikarjuna    |
| 9. K. Moulali          | 22. C. Balaiah         |
| 10. S. Harinath        | 23. D. Munaswamy Naidu |
| 11. V. Venkata Raju    | 24. M. Subba Railu     |
| 12. K.N. Rama Prasad   | 25. N. Adinarayana     |
| 13. B.C. Reddappa      | 26. A. Krishnaiah      |
| 14. P. Subramanyam     | 27. K. Nagaraja        |
| 15. S.K.Abdul Gaffoor  | 28. T. Siddappa        |
| 16. G. Venkataramaiah  |                        |

.. Private respondents

Counsel for the applicants

.. K. Chakravarthy  
Advocate

Counsel for the respondents (Official) .. N.R. Devaraj  
Senior. CGSC

CORAM

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

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

RA.109/96 in OA.1007/96

dt.29-11-96

Judgement

Oral order (Per Hon. Mr. Justice M.G. Chaudhari, VC )

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

1. This RA is directed against the order in the OA, dated 18-9-96. RA is admitted. Notice waived by the learned counsel for the respondents. Review taken up for final orders.

2. In the OA, the applicants had challenged the memo dated 6-8-1996. That memo was issued by the TDM, Tirupathi, in accordance with the DOT letter No.7-27/94-NCG, dated 11-7-1996. Accordingly, a revised list of candidates for the sixth batch of Phone Mechanic Training was issued.

3. The learned counsel for the applicants now submits that the very OM dated 11-7-1996 on the basis of which the impugned memo was <sup>issued</sup> passed had been withdrawn by the DOT/ND vide letter No.7-27/94-NCG dated 9-9-96 and in view of the same the OA was rendered infructuous on the date on which the order in the OA was passed, <sup>and</sup> as the applicants did not have the knowledge of the withdrawal of the OM dated 11-7-96 until then that could not be pointed out to the Tribunal. He, therefore, submits that in order to enable the applicants to get the benefits of the steps as may be taken by the respondents consequent upon withdrawal of the OA dated 11-7-96, the order in the OA may be set aside since otherwise there may arise conflict in the directions given by the Tribunal in the order in OA and the steps as may be taken by the respondents consequent upon withdrawal of the OM dated 11-7-1996. The learned counsel submits that the

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applicants have no reasons to proceed with the OA in view of the withdrawal of the OM dated 11-7-1996.

4. We are satisfied that for the reasons mentioned above it is <sup>in order to</sup> just ~~and~~ <sup>any</sup> ease to avoid <sup>that</sup> conflict, the order in the OA may be set aside and OA disposed of since the withdrawal of the OM dated 11-7-1996 was ordered on 9-9-1996.

5. In the result the RA is allowed and the order dated 18-9-1996 in OA.1007/96 is hereby set aside to the extent of the applicants, ~~is hereby set aside and~~ the OA is restored to its file. No order as to costs. OA to be taken up for orders immediately.

  
(H. Rajendra Prasad)  
Member (Admn.)

  
(M. G. Chaudhari)  
Vice Chairman

Dated : November 29, 96  
Dictated in Open Court

Deputy Registrar (D.C.)

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