

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

B.A.No. 76/98 in OA.1087/96

Date of Order : 26.2.99

BETWEEN :

N.V.S.Sastry, Senior Section
Supervisor (TOA Grade-III), O/o Chief
Engineer (Civil), A.P.Zone, Kotis, Hyd.
AND

.. Applicant.

1. C.H.Salaiah,
Senior Section Supervisor (TOA Gr.III),
O/o Chief Engineer, Civil, Telecom,
A.P.Zone, Koti, Hyderabad.

Respondent

2. The Chief Engineer, Telecom,
A.P.Zone, Hyderabad.

.. Respondents.

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Counsel for the Applicant

.. Mr.K.Venkateswara Rao

Counsel for the Respondents

.. Mr.V.VenkateswaraRao
for R-1

Mr.B.N.Sharma
for R-2

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CONAM :

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

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ORDER

X As per Hon'ble Shri B.S.Jai Parameshwar, Member (J) X

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Mr.K.Venkateswara Rao, learned counsel for the applicant.

Mr.B.N.Sharma, for the Respondent No.2. None for R-1.

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2. R-2 in the OA has filed this application praying to review the order dated 22.9.98 passed in the OA.

3. In the said OA a direction was given to the respondents to consider the case of the applicant for promotion to the post of TOA Gr-IV on the basis of the rules applicable for promotion to the post of Gr-IV on the date of occurrence of the vacancy, and further stated that the applicant is entitled for notional fixation of pay from the date of occurrence of vacancy and arrears from the date of filing of this OA.

4. The applicant in the RA has already been promoted to TOA Gr-IV on 18.10.96 as stated by the review applicant's counsel.

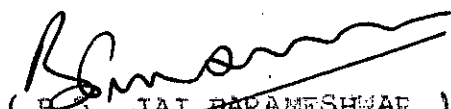
5. At the time when we gave those directions R-2 was not present.

6. The Respondent No.2 had not specifically brought out to us in what manner the directions given in the OA would affect his prospects. His contention that the order was issued after examining the rule position and a reservation ^{been} has given against a single vacancy as per the decision of the Hon'ble Supreme Court. Thus he submits that consideration of the applicant for the post of TOA Gr-IV may affect. It is for the respondent authorities to consider that aspect while implementing the directions given in the OA. As said the R-2 has not brought out any error apparent on record warranting review, the application is not tenable.




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7. Hence the R.A. is dismissed. No costs.

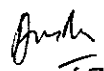

(B.S. JAI PARAMESHWAR)
Member (Judl.)

26.2.99


(R. RANGARAJAN)
Member (Admn.)

Dated : 26th February, 1999

(Dictated in Open Court)


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