

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.194 OF 1996

DATE OF ORDER: 17th February, 1998

BETWEEN:

A.YELLAPPA

.. APPLICANT

AND

1. The Director General,
Indian Council of Agricultural
Research, Krishi Bhavan,
New Delhi 110001,
2. The Director,
Central Research Institute of Dryland
Agriculture (CRIDA),
Santoshnagar,
Hyderabad 500059,
3. The Sr.Administrative Officer,
CRIDA, Santoshnagar,
Hyderabad 500059,
4. Shri Inder Lal,
5. Shri S.A.Tali,
6. Har Bhajan Singh. .. RESPONDENTS

COUNSEL FOR THE APPLICANT: SHRI K.K.CHAKRAVARTHY

COUNSEL FOR THE RESPONDENTS: SHRI N.R.DEVARAJ, Sr.CGSC

CORAM:

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

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

JUDGEMENT

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

Heard Mr.K.K.Chakravarthy, learned counsel for the applicant and Mr.N.R.Devaraj, learned standing counsel for the respondents.

2. The applicant in this OA is Junior Clerk in CRIDA joined in 1971. Later he was promoted as AAO on 5.10.87. A combined seniority list of Assistant Administrative Officers in ICAR showing the applicant at Sl.No.64 was issued by the proceedings dated 16.7.92. Later, it is stated that the orders were issued promoting juniors to the applicant as AO by the order dated 28.11.95. The applicant submitted representation dated 5.12.95 through proper channel for his promotion also. Later he sent a telex message also in this connection to R-1 on 18.12.95. He gave another representation on 5.1.96.

3. This OA is filed praying for declaration that the action of the respondents in not considering the seniority of the applicant to the post of Administrative Officer is illegal, arbitrary and violative of rules and as such to declare the proceedings of R-1 bearing No.F3(1)/93, Estb-I dated 28.11.95 ignoring the applicant for promotion and promoting his juniors namely private respondents 4 to 6. ~~and~~

4. A reply has been filed in this OA.

5. When this OA was taken up for hearing, the learned standing counsel for the respondents submitted that the applicant had submitted a representation on 5.12.95 and he filed this OA on 6.2.96. As the time was short, his representation could not be considered and the representation stands abated in view of the admission of this OA on 15.2.96. The learned counsel for the applicant also submits that the applicant had submitted a further

representation on 2.12.96 which was forwarded by the ICAR to the Director, National Research Centre by his letter dated 26.11.97. He further submits that he will withdraw this OA but liberty may be given to him to file a fresh OA challenging any orders when issued to his representation subsequently. He also requests that a direction may also be given to dispose of his representation dated 5.12.95 and 2.12.96 very early so that he will gauge his position and take further action, if required, by filing a fresh OA.

5. In view of the above submission, the OA is disposed of as not pressed at this stage. The respondents are directed to dispose of his representations referred to above as the OA is not pending. Liberty is given to the applicant to file a fresh OA challenging the events that are taken place after filing of the present OA, if required, in accordance with law.

6. No order as to costs.

(B.S.JAI PARAMESHWAR)
MEMBER (JUDL)

17/2/98

(R.RANGARAJAN)
MEMBER (ADMN.)

DATED: 17th February, 1998
Dictated in the open court.

vsn

M.R

D.R

DA.194/96

Copy to:-

1. The Director General, Indian Council of Agricultural Research, Krishi Bhavan, New Delhi.
2. The Director, Central Research Institute of Dryland Agriculture (CRIDA), Santoshnagar, Hyderabad.
3. The Sr. Administrative Officer, CRIDA, Santoshnagar, Hyderabad.
4. One copy to Mr. K.K.Chakravarthy, Advocate, CAT., Hyd.
5. One copy to Mr. N.R.Devaraj, Sr.CGSC., CAT., Hyd.
6. One copy to D.R.(A), CAT., Hyd.
7. One duplicate copy.

srr

26/2/98
(X)
TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR. B. RANGARAJAN : M(A)

AND

THE HON'BLE MR. B. S. JAI PARAMESHWAR :
M(J)

DATED: 17/2/98

ORDER/JUDGMENT

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

in

G.A.NO.

194/98

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS.

II COURT

YLKR

