

(28)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 318/96.

Dt. of Decision : 30-07-96.

Kum. Pedarla Anasuya Panchakshari

.. Applicant.

Vs

1. The General Manager,
SC Rly, Rail Nilayam,
Secunderabad.
2. The Chief Personnel Officer,
SC Rly, Rail Nilayam,
Secunderabad.
3. The Dy.Chief Mech.Engineer,
Guntupalli Wagon Workshop,
SC Rly, Guntupalli,
Krishna District.

.. Respondents.

Counsel for the Applicant : Mr. P.Krishna Reddy

Counsel for the Respondents : Mr. V.Rajeswara Rao, Addl.CGSC.

CORAM:

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

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ORDER

Oral Order (Per Hon'ble Shri R.Rangerajan, Member (Admn.))

Heard Mr.P.Krishna Reddy, learned counsel for the applicant and Mr.V.Rajeswara Rao, learned counsel for the respondents.

2. The applicant in this OA was a land loser. As her land was acquired for the purpose of construction of Wagon Workshop, Guntupalli in the year 1975, She now prays for a direction to the respondents to appoint her in the Wagon Workshop, SC Railway, Guntupalli in any post for which she is eligible based on the educational qualification.

3. The main contention of the respondents in this OA are three folds:- 1) The applicant had approached this Tribunal directly without even submitting a representation to the respondents for appointing her against the land losers quota. Hence, her case is barred by laches. 2) The instructions issued No.P.137/Mech/WRS/RYP/18. dated 1-2-1983 (Annexure R-1) prohibits recruitment ^{or} ~~for~~ those applicants who have approached them for appointment after a period of two years after the acquisition of the land. As the applicant has approached this Tribunal after about 20 years of land acquisition she cannot claim any appointment in view of the instructions referred to above. 3) She is about 46 years old and cannot be appointed in view of her old age.

4. The above contentions were considered. In OA.No.160/95 which was decided on 14-2-95, we have held that the upper age relaxation has to be given for the applicant who was over aged in that OA^{who}. We also held that the instructions dt. 1-2-83 should

Which arose in the year 1975

not be treated as a cut of date, provided, none from the family of the applicant in that OA had been appointed against the quota of land displaced person. The applicant in that OA also approached the Tribunal late but that OA was not dismissed for laches. In view of the above views of this Tribunal in OA.No.160/95 decided on 14-2-95, the above contentions cannot be up-held.

5. However, the applicant had failed in approaching the respondents by filing a representation. As a matter of fact she has not filed any representation. In view of the above, it is necessary for her to approach the respondents in this connection by filing a representation citing decision in OA.No.160/95 for getting her the necessary relief. If such a representation is received by the respondents they should inform her suitably in this connection after scrutinising the representation in accordance with the rules and taking due note of the directions given in OA.No.160/95 decided on 14-2-95.

6. The OA is ordered accordingly. No costs.



(R. RANGARAJAN)
MEMBER (ADMN.)

Dated : The 30th July 1996.
(Dictated in Open Court)

Arshinappa
Dy. Registrar (S)

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O.A. 318/96.

Copy to:-

1. The General Manager, S.C.Railway, Rail Nilayam, Sec'bad.
2. The Chief Personnel Officer, S.C.Railway, Railnilayam, Secunderabad.
3. The Dy. Chief Mech. Engineer, Guntupalli Wagon Workshop, S.C.Railway, Guntupally, Krishna District.
4. One copy to Sri. P.Krishna Reddy, advocate, CAT, Hyd.
5. One copy to Sri. V.Rajeswara Rao, SC for Rlys, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

30/8/96

007-318796

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THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

DATED: 30/8/96

ORDER/JUDGEMENT

G.A. NO. / R.A. / C.P. No.

in

G.A. NO.

318796

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

YLKR

II COURT

No spare copy

केन्द्रीय प्रशासनिक न्यायाधीश
Sec. I Administrative Tribunal
दस्तावेज / DESPATCH
- 9 AUG 1996
हैदराबाद न्यायपीठ
HYDERABAD BENCH