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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH

AT HYDERABAD

Original Application No.321/96

dt. March 19, 96

Between

V.V. Subba Raju : Applicant

and

(Maintenance), 'SC Rly.', Secunderabad
Division, Secunderabad

2. The Sr. Divnl. Personnel Officer
B.G. Division, SC Rly.,
Secunderabad

3. The Divnl. Rly. Manager
Secunderabad BG Division
SC Rly., Secunderabad

4. The General Manager
SC Rly., Rail Nilayam
Secunderabad

5. Sr. Dy. General Manager
SC Rly, Rail Nilayam
Secunderabad

: Respondents

Counsel for the applicant : G.V. Subba Rao, Advocate

Counsel for the respondents : K. Siva Reddy, ~~Standing~~
Counsel for Railways

CORAM

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

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

Order

In this application, the petitioner Sri V.V. Subba Raju, A.C. Mechanic (Skilled) was empanelled for promotion to the grade of Apprentice Mechanic for absorption as TXR(AC) on 13-10-1995 (Annexure 7). On 25-10-95 he was promoted as Apprentice Mechanic and was deputed to undergo training for a period of two years.

2. Subsequently, certain complaints were received by Railway Administration against the said empanelment of the petitioner. On inquiry, ^{some} ~~very~~ serious irregularities were found to have been committed in the process of empanelment leading to promotion of the applicant. Consequently, orders were issued on 13-2-96 cancelling the provisional panel published earlier whereby the applicant had been selected and promoted as Mechanic TXR(AC). On 16-2-1996 the applicant was recalled from Training and posted back as AC Mechanic (Sk.III). The applicant has not yet complied with the latest posting orders. The main/grievance in the OA is against the cancellation of his provisional empanelment as Mechanic TXR(AC) since the same was issued without any notice to him.

3. When the case came up for considering the issue of interim orders, as prayed for by the applicant, the learned Additional Standing counsel for the respondents produced for our perusal the concerned file which gives the detailed circumstances leading to the cancellation of the provisional panel. We have closely examined the relevant facts in this file and have noted that the ^{cancellation} ~~empanelment~~ had indeed been necessitated by very valid considerations.

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4. Under the circumstances, we are unable to issue any interim order as prayed for. The respondents are directed to file their reply in four weeks. ^{This} ~~which~~ is in modification of earlier order directing them to file their counter within six weeks.

5. List the OA on 30-5-1996.

4.5.1.1
(H. Rajendra Prasad)
Member (Admn)

M.G. Chaudhari
(M.G. Chaudhari)
Vice Chairman

Anil
Dy. Registrar (Sub)

Dated : March 19, 96
Dictated in Open Court

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