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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH
AT HYDERABAD

O.A.No.420 OF 1996.

DATE OF ORDER:21-9-1998.

Between:

Boyina Venkateswara Rao. .. Applicant

and

1. Union of India, rep. by its Secretary, Department of Personnel & Training, Central Secretariat, North Block, New Delhi.
2. Secretary, The Union Public Service Commission, Dholpur House, New Delhi.
3. The Chief Secretary to Government, Government of Andhra Pradesh, Secretariat, Hyderabad.
4. The Commissioner of Land Revenue, Nampally Station Road, A.P., Hyderabad.
5. The Principal Secretary to Govt. of A.P., Revenue Department, Secretariat, Hyderabad, A.P.

.. Respondents

COUNSEL FOR THE APPLICANT :: Mr.K.Laxminarasimha

COUNSEL FOR THE RESPONDENTS: Mr.N.R.Devaraj, Sr.CGSC
: Mr.P.Naveen Rao, SC for AP

CORAM:

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN)

AND

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

: O R D E R :

ORAL ORDER (AS PER HON'BLE SRI R.RANGARAJAN, MEMBER (A))

Heard Mr.K.Laxminarasimha for the Applicant and Mr.N.R.Devaraj for the Central Government, and Mr. P.Naveen Rao for the State Government.

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2. The OA is filed for a declaration that the action of the respondents in not including the applicant in the select list of IAS (Appointment by promotion) for the years 1987 to 1988 onwards till date, is illegal, arbitrary and unconstitutional, and for a consequential direction to the respondents to consider the case of the applicant for appointment to IAS by promotion for the years 1987 onwards, if necessary by a Review DPC on par with his batch mates and juniors and include him in the select list with all consequential benefits like, seniority, pay etc.,.

3. The applicant is a direct recruit Deputy Collector. The candidates selected alongwith him in 1978 is shown in page.18 of the OA. The applicant stands at Serial No.11. There are ~~two~~ juniors to him, ^{three} ~~two~~ who figure at Serial No.12, ^{and 14} and 13 in that list. In view of the recent Judgment of the Apex Court for fixing the seniority of direct recruits/promotees in Civil Appeal Nos.6526-28/94, 6529-31/94 and 750/95 (reported in G.K.RAO & OTHERS Vs. SUTHIRTHA BHATTACHARYA & OTHERS), which is enclosed to the reply, a Review is being conducted for promotion to the post of IAS probably right from the year 1987 onwards. The applicant submits that his juniors are considered in the Review whereas his name was not considered. However, the learned/ Standing Counsel for the State of Andhra Pradesh, on instructions, now submits that the case of the applicant will also be considered if his juniors are considered from any particular year. In view of that

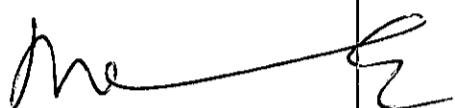
there is no need for any Orders necessary in this OA.

5. Noting the submission of the learned Standing Counsel for the State of Andhra Pradesh, the OA is disposed. No costs.



(B.S.JAI PARAMESHWAR)

21st 98
MEMBER (JUDL)



(R.RANGARAJAN)

MEMBER (ADMN)

Dated: this the 21st day of September, 1998

Dictated to steno in the Open Court

DSN

DR

Copy to:

1. Secretary Dept. of Personnel & Training, Central Secretariat, North Block, New Delhi.
2. Secretary, Union Public Service Commission, Dholpur House, New Delhi.
3. The Chief Secretary to Govt., Govt. of Andhra Pradesh, Secretariat, Hyderabad.
4. The Commissioner Land Revenue, Nampally Station Road, A.P., Hyderabad.
5. The Principal Secretary to Govt. of A.P., Revenue Dept., Secretariat, Hyderabad.
6. One copy to Mr. K. Lakshminarasimha, Advocate, CAT, Hyderabad.
7. One copy to Mr. N. R. Devraj, Sr. CGSC, CAT, Hyderabad.
8. One copy to Mr. P. Naveen Rao, SC for A.P., CAT, Hyderabad.
9. One copy to D.R(A), CAT, Hyderabad.
10. One duplicate copy.

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9/10/98
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II COURT

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APPR VED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 21/9/98

ORDER/JUDGMENT

M.A/B.A/C.P.N.C.

in
C.A.NO. 2120/96

~~ADMITTED AND INTERIM DIRECTIONS
ISSUED~~

~~ALLOWED~~

~~DISPOSED OF WITH DIRECTIONS~~ ✓

~~DISMISSED~~

~~DISMISSED AS WITHDRAWN~~

~~ORDERED/REJECTED~~

~~NO ORDER AS TO COSTS~~

YLR

