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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  
a nd

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)

A N D

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 <sup>three</sup> ~~two~~ juniors to him, who figure at Serial No.12, <sup>and 14</sup> ~~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. SUTHIRTA 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/ <sup>Standing</sup> 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

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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)

21<sup>9</sup> 98  
MEMBER (JUDL)

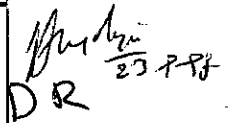
  
(R. RANGARAJAN)

MEMBER (ADMN)

Dated: this the 21st day of September, 1998

Dictated to steno in the Open Court

\*\*\*  
DSN

  
DR 23 9-98

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Copy to:

1. Secretary Dept. of Personnel & Training, Central Secretariat, North Block, New Delhi.
2. Secretary, Union Public Service Commission, Dhoolpur 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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23/10/98

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II COURT

TYPED BY  
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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 21/9/98

ORDER/JUDGMENT

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

in

C.A.NO. 220/96

~~ADMITTED AND INTERIM DIRECTIONS  
ISSUED~~

~~ALLOWED~~

~~DISPOSED OF WITH DIRECTIONS~~ ✓

~~DISMISSED~~

~~DISMISSED AS WITHDRAWN~~

~~ORDERED/REJECTED~~

~~NO ORDER AS TO COSTS~~

YLKR

