

(16)

CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

Original Application No.428/96

Dt. of decision: 2-4-1996

Between:

H. Koteswara Rao .. Applicant

and

1. South Central Railway,
rep. by General Manager,
Secunderabad.

2. Chief Personnel Officer,
S.C.R., Secunderabad.

3. The President,
SCR Sports Association-cum-
Chief Engineer (C-I),
Secunderabad.

.. Respondents

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Counsel for the applicant Sri Y. Jaganmohan

Counsel for the respondents Shri D.F. Paul

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CORAM:

THE HON'BLE MR. JUSTICE M.G. CHAUDHARI : VICE CHAIRMAN

THE HON'BLE SHRI R. RANGARAJAN:

MEMBER (A)

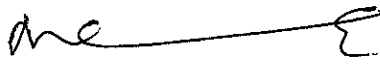
O.A.No.428/96

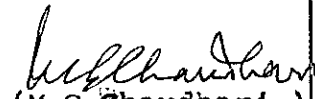
(Per Hon'ble Sri Justice M.G.Chaudhari, V.C.)

The learned counsel for the respondents states that the Viva Voce test scheduled to be held today in pursuance of the result of the written examination held on 10-2-96 for the selection to the post of Welfare Inspector Gr.III (Sports) has been indefinitely postponed. In view of the statement, we have considered the case of the applicant. Although the applicant was listed as one of the eligible employees to appear for written examination to the above mentioned post vide Annexure-A, he did not appear at the said examination. Consequently, his name does not figure in the persons called for viva voce. The case of the applicant is that the circular dt.18-1-96 (Annexure-II) advising all the eligible candidates to appear at the written examination scheduled to be held on 10-2-96 was not notified to him and consequently he had no knowledge about the same. That is the reason he could not appear for the examination. We, however, find that the applicant had already filed a representation to the South Central Railway Sports

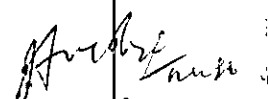
Association/Chief Engineer, Gauge Conversion-I, South Central Railway on 21-3-96. In that representation he has raised the above contention. The applicant however, does not appear to have submitted that representation to the proper authority viz., Chief Personnel Officer, South Central Railway although he has marked a copy to him. Since there is now time available for consideration of the representation by the CPO on its own merits, as Viva Voce test has been postponed, we direct the CPO, SCR, Secunderabad (R-2) to treat the representation addressed to the President, SCR Sports Association and Chief Engineer as the representation filed to him and dispose it of as expeditiously as possible, but within a reasonable time before the Viva voce test may be again rescheduled so as to enable the applicant to apply for appropriate relief from the Tribunal, if ^{aggravated} ~~so~~ advised. The decision on the representation shall be directly conveyed to the applicant.

2. The O.A. is accordingly disposed of.


(R. Rangarajan)
Member (A)


(M.G. Chaudhari)
Vice Chairman

Dated 2-4-1996
(Open Court Dictation)


Deputy Registrar (D) cc

O.A. 128/96

To

1. The General Manager,
SC Rly, Secunderabad.
2. The Chief Personnel Officer,
SC Rly, Secunderabad.
3. The President,
SCR Sports Association-cum-Chief Engineer(C-I)
Secunderabad.
4. One copy to Mr.Y.Jaganmohan, Advocate, 1-1-336/35
Viveknagar, Hyderabad.
5. One copy to Mr.D.Francis Paul, SC for Rlys, CAT Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

pvm.

17/4/96

I COURT

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE M.G. CHAUDHARI
VICE-CHAIRMAN

AND

THE HON'BLE MR. *R. Venkatesh* RAJENDRA PRASAD :M(A)

Dated: 2-4-1996

ORDER/JUDGMENT

M.A./R.A./C.A.No.

in

O.A.No.

428/96.

T.A.No.

(w.p.)

Admitted and Interim Directions
issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for Default

Ordered/Rejected.

No order as to costs.

pvm

