

12

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.A.No.446/96.

Date of order : 9-4-1996.

Between

G.Suryanarayana Murthy .. Applicant

And

1. The Comptroller &
Auditor General of India,
10, Bahadurshah Zafar Marg,
New Delhi-110002.

2. The Principal Accountant
General (Audit-I),
Andhra Pradesh,
Hyderabad.

.. Respondents

Counsel for the Applicant .. Shri I.Dakshina Murthy
(Absent)

Counsel for the Respondents .. Shri G.Parameswar Rao,
SC for IA & AG

C O R A M

Hon'ble Shri Justice M.G.Chaudhari : Vice-Chairman

Hon'ble Shri H.Rajendra Prasad : Member (A)

O r d e r

(Per Hon'ble Shri Justice M.G.Chaudhari : Vice-Chairman)

Perused the application and connected records. There is no merit in this application. The only relief sought by the applicant is to delete the following clause contained in the order of his promotion dated 12.10.95. The said clause reads as follows:-

"They are not eligible for promotion as Assistant Audit Officer."

2. The applicant has already accepted the order of promotion with the knowledge of such condition. It is not, therefore, open to him to seek deletion of the condition of promotion. ['We also do not think that the condition affect him at this stage.'] That question will arise as and when

.....2


deleted in RA
9.12.96
hll
vr

[Signature]

he becomes eligible for being considered for promotion as Assistant Audit Officer. We have gone through the Recruitment Rules for Supervisors, 1982 as well as the instructions issued by the Comptroller & Auditor General of India dated 11.3.89. It is clear therefrom that the applicant was Senior Auditor and promoted as Supervisor by reason of 10 years regular service in the grade and possibly because Part-I Section Officers Grade. The Recruitment Rules for promotion to the post of Assistant Audit Officer prescribe ~~the passing of Section Officers Grade examination with~~ three years regular service in the grade of Section Officers. The applicant has not been promoted as Section Officer and we do not entertain the question as to whether he could still be eligible for promotion as Assistant Audit Officer subject to other conditions on the basis that the post of Supervisor is equivalent to that of Section Officer. Simply because the two grades carry equal pay scales, the question does not arise for consideration of ^{at} ~~this stage~~ age. ~~We do not, therefore, see any reason as to how the impugned condition in the order of promotion is illegal.~~

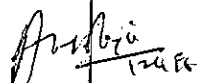
Hence the O.A. is rejected.


(H. Rajendra Prasad)
Member (A).



(M.G. Chaudhari)
Vice-Chairman.

Dated: 9-4-1996.
Open Court dictation.

br.


Deputy Registrar (DCC)

① deleted vide order in
RA 39196 dated 9-12-96.


Member (A).

OA 446/96

1. The Comptroller and Auditor General of India,
10, Bahadurshah Zafar Marg,
New Delhi-2.
2. The Principal Accountant
General (Audit-1)
A. P. Hyderabad.
3. One copy to Mr. I. Dakshina Murthy, Advocate, CAT. Hyd.
4. One copy to Mr. G. Parameswar Rao, SC for AG. CAT. Hyd.
5. One copy to Library, CAT. Hyd.
6. One spare copy.

pvm

5/5/96
I COURT

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

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

AND

THE HON'BLE MR. H. RAJENDRA PRASAD :M(A)

Dated: 9 - 4 - 1996

~~ORDER~~ JUDGMENT

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

in

O.A.No. 446/96

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

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
ब्रेखल/DESPATCH

18 APR 1996

हैदराबाद बेंच
HYDERABAD BENCH

OA B file
not receiving
from CO Secy
on 3.12.92