

(21)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

Original Application No.723/96.

Dt. of Order:17-7-96.

Between :-

Y.L.Narasimham

... Applicant

And

1. Union of India represented by the
General Manager, S.E.Railway,
Garden Reach, Calcutta.
2. The Divisional Railway Manager,
S.E.Railway, Waltair.
3. The Sr.Divisional Engineer (Co-Ord.),
S.E.Railway, Waltair.
4. The Sr.Divisional Personnel Officer,
S.E.Railway, Waltair.
5. Sri K.Jagannadham
6. Sri K.Lakdhmana Rao

... Respondents

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Counsel for the Applicant : Shri P.B.Vijay Kumar

Counsel for the Respondents : Shri V.Bhimanna, SC for Rlys

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CORAM:

THE HON'BLE SHRI H.RAJENDRA PRASAD : MEMBER (A)

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... 2.

(Orders per Hon'ble Shri H.Rajendra Prasad,
Member (A)).

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Heard Sri B.M.Patro for Sri P.B.Vijay Kumar, counsel for the applicant, and Sri V.Bhimanna, standing counsel for the Respondents. The short question in this O.A. is the ^{Grievance} ~~dis~~ satisfaction of the applicant ^{at the relegation} ~~with~~ ^{supersession} of his seniority in favour of Respondent No.6. The authorities seem to have decided to place the said respondent above the applicant on the basis of ^{the} length of service rendered by the two officials as Casual Labourers. Prima-facie, there does not seem to be any illegality in this decision. However, the applicant feels that this is in violation of some instructions of the Railway Board. The proper course of action in this instance would be for the applicant to submit a ^{details} ~~proper~~ representation to the higher authorities and await ^{their} a decision within a reasonable time. The whole question would ^{merit scrutiny through} ~~become due for examination~~ in a judicial proceeding only if the said higher authority fails to examine the facts as stated by the applicant with reference to rules and instructions, ^{or omits to} ~~and fails to~~ ^a pass speaking order. No O.A. would seem to lie at this stage. ^{It} ~~The O.A.~~ ^{is} ~~is~~ ^{therefore} ~~accordingly~~ disposed of without any orders or directions.

2. No order as to costs.

(H.RAJENDRA PRASAD)
Member (A)

Dated: 17th July, 1996.
Dictated in Open Court.

28

O.A.723/96.

To

1. The General Manager, Union of India,
S.E.Rly, Garden Reach, Calcutta.
2. The Divisional Railway Manager,
S.E.Rly, Waltair.
3. The Sr.Divisional Engineer(Co-ord.)
S.E.Rly, Waltair.
4. The Sr.Divisional Personnel Officer,
S.E.Rly, Waltair.
5. One copy to Mr.P.B.Vijaykumar, Advocate, CAT.Hyd.
6. One copy to Mr.V.Bhimanna, SC for Rlys, CAT.Hyd.
7. One copy to Library, CAT.Hyd.
8. One spare copy.

pvm.

30/7/96

I COURT

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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: 17-7-1996

ORDER/JUDGMENT

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

in

O.A.No. ~~595/96~~ 723/96

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.

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