

(30)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH  
AT HYDERABAD.

O.A.No. 773 of 1996.  
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Date: July 18, 1996.

Between:

D.Keerthi Kumar.

.. Applicant.

And

1. The Union of India represented  
by the General Manager, South  
Central Railways, Rail Nilayam,  
Secunderabad
2. The Divisional Railway Manager,  
South Central Railway,  
Hyderabad Division, Secunderabad.
3. The Senior Personnel Officer,  
South Central Railway,  
Hyderabad Division, Secunderabad.

Respondents.

Counsel for the Applicant:

Shri J.V.Lakshmana Rao.

Counsel for the Respondents:

Shri N.R.Devraj, Senior  
Standing Counsel.

ORDER BY:

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

(3)

D.A.No.773/96.

Date: July 18, 1996.

ORDER:

Heard Shri J.V.Lakshmana Rao for the applicant and Sri N.R.Devraj for the respondents.

2. There is an evident confusion on the part of the applicant in this case since he is seen to be pursuing two different objectives viz., pendency of disciplinary proceedings and non-promotion, without establishing any direct link between the two. It is noted in this connection that, notwithstanding the pendency of the disciplinary proceedings initiated against him, the applicant was duly permitted to appear at the written-test and, after having qualified thereat, he was also allowed to appear for the interview and viva-voce test. In this view of the matter, it cannot be said that his non-promotion at this stage is in any way connected to, or a consequence of, the disciplinary proceedings. The two are altogether different issues.

3. The learned counsel for the applicant draws attention to a Note in Annexure II to the D.A., to the effect that the panel published on 8th June, 1995 is provisional, and that the same is likely to be enlarged subject to certain contingencies. The applicant is not sure whether 'the inclusion of one name in due course' - a possibility linked at in the said Note - is in any way related to him.

*[Signature]*  
(SV)

4. To me, this Note does not in any manner seem to concern the applicant at all. Nevertheless, Respondent No.3 shall now issue a clarification confirming/denying any connection between this note and the case of the promotion of the applicant. This shall be done within two weeks of the date of receipt of copy of this order.

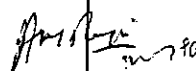
5. The disciplinary proceedings stated to be pending against the applicant are not the main subject matter of this O.A., although a possibly wrong emphasis is seen to have been placed on this aspect. This Bench has ~~no~~ no observation to make concerning this aspect of the matter, except that Respondent No.3 would be well advised to look into the reasons for this long pendency, besides initiating such action as may be called for to expedite a speedy conclusion of the case. The O.A., is disposed of thus at the admission stage.

6. A copy of this Order along with a copy of the O.A., with its enclosures will be served on the respondents for facility of ready reference and further action.

  
H. RAJENDRA PRASAD,  
MEMBER (A)

Date: July 18, 1996.

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Dictated in open Court.

  
Deputy Registrar (D) cc.

O.A. 773/96.

To

1. The General Manager, Union of India,  
S.C.Rlys, Railnilayam, Secunderabad.
2. The Divisional Railway Manager,  
SC Rly, Hyderabad Division, Secunderabad.
3. The Senior Personnel Officer,  
SC Rly, Hyderabad Division,  
Secunderabad.
4. One copy to Mr.J.V.Lakshmana Rao, Advocate, CAT.Hyd.
5. One copy to Mr.N.R.Devraj, SC for Rlys CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One copy to Hon'ble Member(A) CAT.Hyd.
8. One spare copy.

pvm.

8/7/96

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: 8-7-1996

ORDER/JUDGMENT

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

in

O.A.No. ~~525/96~~ 773/96.

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

