

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.A.No.938/96.

Date of order : 8.8.1996.

Between

Sanathan Goud

.. Applicant

And

1. Union of India, Reptd. by
General Manager, S.C.Rly.,
Secunderabad.

2. The Chief Personnel Officer,
S.C.Rly., Secunderabad.

3. The Chief Medical Officer,
S.C.Rly., Secunderabad.

4. The Medical Director,
S.C.Rly., Lalaguda,
Secunderabad.

.. Respondents

Counsel for the Applicant

.. Shri Sreenivasa Sarma

Counsel for the Respondents

.. Shri N.R.Devaraj,
SC for Rlys.

C O R A M

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

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

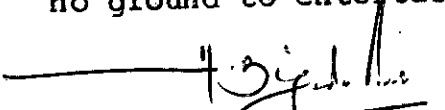
Order


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

We find no ground to disagree with the reasoned order passed by the Chief Personnel Officer on 5.7.96 disposing of the representation of the applicant as directed by the previous order dated 28.3.96.

2. The applicant relies upon the circular dated 14.4.89 (which is not produced). That has been considered by the Chief Personnel Officer and he has stated that that was one time dispensation for the ad-hoc clerks serving as a group at that time and that scheme is not thereafter applicable nor is it applicable to Open Line staff.

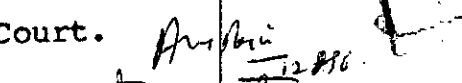
3. The applicant was promoted as a Junior Clerk on adhoc basis on 13.2.89. He did not fulfil the requirement of length of service as on that date to avail of the one time dispensation. Hence eventhough he now wants to rely on the same we are not able to agree with that contention. Apart from the above consideration the applicant cannot hope to rely on that scheme now having chosen to appear at the regular selections for promotion held on 16.11.91 and 7.10.94. Since he failed at both the selections he missed so far the regular promotion. The applicant has therefore to necessarily qualify at future selections. The order dated 5.7.96 states that the applicant is still eligible to qualify at future selections. It also states that he can be continued as clerk on adhoc basis as per requirements of exigencies of service, if it was so necessary, till suitable alternative arrangements are made. Prima facie we may assume that alternative arrangements are contemplated ^{to be by} promotions by regular selection. The assurance ^{from} flowing that the said order therefore should be sufficient safeguard to the applicant. It is open to him to qualify at future selections and avail of the opportunity of promotion if he successfully clears the selections. We therefore see no ground to entertain this O.A. Hence it is rejected.


 (H. Rajendra Prasad)
 Member (A).


 (M.G. Chaudhari)
 Vice-Chairman.

Dated: 8.8.1996.
 Dictated in Open Court.

br.


 Deputy Registrar (DCC)

GA 938/96

-3-

To

1. The General Manager, S.C.Rly,
Union of India, Secunderabad.
2. The Chief Personnel Officer,
S.C.Rly, Secunderabad.
3. The Chief Medical Officer,
S.C.Rly, Secunderabad.
4. The ~~Chief~~ Medical Officer,
S.C.Rly, Lalaguda, Secunderabad.
5. One copy to Mr.Sri Sreenivasa Sarma, Advocate, CAT.Hyd.
6. One copy to Mr.N.R.Devraj, SC for Rlys, CAT.Hyd.
7. One copy to Library, CAT.Hyd.
8. One spare copy.

pvm.

19/8/96

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: 8 - 8 - 1996

ORDER / JUDGMENT

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

in

O.A.No. 938/96.

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 अदालत
 Central Administrative Tribunal
 भेजण / DESPATCH
 16 AUG 1996
 हैदराबाद बेंच
 HYDERABAD BENCH