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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

C.A. 263/97.

Dt. of Decision : 19-08-98.

1. U.K.Chandra Bhushanam
2. S.Chandrakanth Rao
3. Y.R.Ganesh
4. Ch.Venkatesham
5. G.Prakash Babu
6. T.Ramesh Babu
7. P.V.B.S.Murthy
8. Y.Ramakrishna
9. K.Subramanyam
10. K.Sivakoteswara Rao
11. S.Vineet Rao
12. M.Sivanageswara Rao

.. Applicants.

1. The Govt. of India,
Min. of Defence, rep. by
Secretary to Government,
Dept. of Defence Production
and Supply, Central Secretariat,
New Delhi.
2. The Ordnance Factories Board,
Rep. by the Director General,
10-A, Auckland Road,
Calcutta-1.
3. The General Manager,
Ordnance Factory Project,
Eddumailaram, Medak Dist. (A.P)
4. M.K.D.Prasad
5. B.Satyana^Nrayana
6. C.Ashok Kumar
7. M.Nageshwar Rao

.. Respondents.

Counsel for the applicants : Mr.P. Naveen Rao

Counsel for the respondents : Mr.V.Rajeswara Rao, Addl.CGSC.

CORAM:-

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (JUDL.)

ORDER

ORAL ORDER (PER HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (JUDL.)

Heard Mr.P.Naveen Rao, learned counsel for the applicants and Mr.V.Rajeswara Rao, learned counsel for the respondents.

2. There are 12 applicants in this OA. They are all working as Chargeman Gr-II (Technical), Ordnance Factory Project, Eddumailaram, Medak District.

3. The factory issued a provisional seniority list of Chargeman Gr-II on 29-6-96 (Annexure-IX to the OA). The applicants herein are aggrieved by the said seniority list. They submitted a representation on 17-7-96 (Annexure-X to the OA). The respondents considering the representation issued reply vide letter No.02/00074/Estt. dated 18-07-96 (Annexure-XI). We feel it proper to reproduce the reply:-

"With reference to your above quoted representation, it is stated for your information that the Provisional Seniority List of Chargeman Gr-II (Tech) has been published in compliance with the orders issued by the C.A.T. Hyderabad in OA.Nos.1550/95 and 453/96."

4. From the records available in this office it is disclosed that the OA.1550/95 was decided on 8-1-98. Further, the learned counsel for the respondents submit that an interim order was passed in OA.453/96 on 8-4-96. The said OA.453/96 is still pending for consideration before this Tribunal. The responder reply dated 18-7-96 informing the applicants that they followed the orders passed in OA.1550/95 and OA.453/96 which were actually decided subsequent to Annexure-XI letter. Even OA.453/96 is still pending, if they felt that the interim order enabled them to issue the provisional seniority list they should have specially stated in the reply that the provisional seniority list was issued subject

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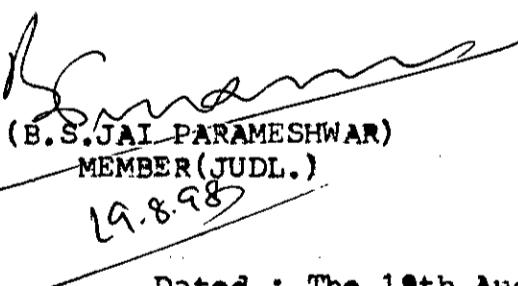
to the final orders to be passed in OA.453/96 and following the interim ~~pxxx~~ direction. This is not done by the respondents.

5. The respondents while issuing the reply have not actually verified the facts and issued a reply to the applicants in a way that they have followed the non existed directions of this Tribunal. They have not applied their mind before issuing the reply dated 18-7-96. Further it is also seen a representation filed on 17-7-96 was disposed of on 18-7-96 which, is a remarkable achievement of the department.

6. Hence, the reply dated 18-07-96 is hereby set aside.

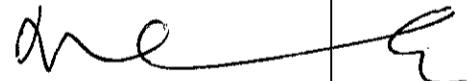
7. The respondents ~~will~~ ^{shall} consider ~~xx~~ representations in accordance with rules and dispose of the same by a speaking order within a period of two months from the date of receipt of a copy of this order. Till such time the provisional seniority list dated 29-6-96 (Annexure-IX to the OA) already issued should not be finalised.

8. With the above direction the OA is disposed of. No order as to costs.


(B.S.JAI PARAMESHWAR)

MEMBER (JUDL.)

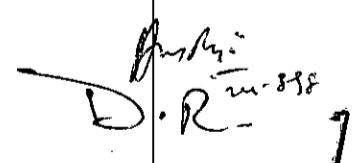
19.8.96


(R. RANGARAJAN)

MEMBER (ADMN.)

Dated : The 19th August, 1996.
(Dictated in the Open Court)

SPR


D.R. 19-8-96

OA.263/97

Copy to:-

1. The Secretary to Government, Min. of Defence, Dept. of Defence Production and Supply, Central Secretariat, New Delhi.
2. The Director General, Ordnance Factories Board, 10-A, Auckland Road, Calcutta.
3. The General Manager, Ordnance Factory Project, Eddumailaram.
4. One copy to Mr. P. Naveen Rao, Advocate, CAT., Hyd.
5. One copy to Mr. V. Rajeswara Rao, Addl. CGSC., CAT., Hyd.
6. One copy to BSJP M(J), CAT., Hyd.
7. One copy to D.R.(A), CAT., Hyd.
8. One duplicate copy.

SRR

Ch. 9/98

II COURT

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M(A)

AND

THE HON'BLE SHRI B. S. DAI PARAMESHWAR :
M(J)

DATED: 19/8/98

ORDER/JUDGMENT

~~M.A/R.A/C.P.N.C.~~

in
C.A. NO. 263/97

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLKR

