

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL-APPLICATION-N0. 264-OF-1997

DATE-OF-ORDER:- 10th March, 1997

BETWEEN:

S.YADAGIRI

.. APPLICANT

AND

1. The Superintending Archaeological Chemist,
Southern Region, Sivam Road,
Sai Baba Nagar, Hyderabad,
2. The District Employment Officer,
Hyderabad, Hyderabad District. .. RESPONDENTS

COUNSEL FOR THE APPLICANT: Mr.J.KANAKAIAH

COUNSEL FOR THE RESPONDENTS: Mr.V.VINOD KUMAR,CGSC for R-1
Mr.P.Naveen Rao, CGSC for R-3

CORAM:

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

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

ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.))

Heard Mr.J.Kanakaiah, learned counsel for the applicant, Shri V.Vinod Kumar, learned standing counsel for R-1 and Mr.P.Naveen Rao, learned standing counsel for R-2.

2. The applicant is working as a Part-time Sweeper from the month of October 1996 onwards under R-1 and it is stated that he is continuing still further. It is reported that the post of Sweeper is going to be filled by a proper

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selection and that R-1 approached R-2 for sponsoring the candidates for filling up the post of Sweeper in his organisation. The name of the applicant is not sponsored by R-2 as it is stated that he is very junior in the list of candidates registered with the Employment Exchange.

3. The applicant relies on the judgement of the Supreme Court reported in 1996(6) SCALE 676 (The Excise Superintendent, Malkapatnam, Krishna District, Andhra Pradesh v. KBN Visweshwara Rao and others) wherein it is stated that whenever a vacancy is to be filled up, appropriate department or undertaking or establishment, should call for the names by publication in the newspapers having wider circulation and also display on their office notice boards or announce on radio, television and employment news-bulletins; and then consider the cases of all the candidates who have applied. The applicant submits that inspite of the above dictum of the Apex Court, the respondents failed to give wide publicity. Inspite of that he had applied for the post and hence his candidature should also be considered along with the candidates sponsored by the Employment Exchange and he should be permitted to sit for the examination for consideration for the post of Sweeper.

4. This OA is filed for a direction to R-1 herein to consider his case for selection process to be held on 10.3.97 or in a subsequent date for the post of Sweeper without insisting for sponsoring his name by R-2.

5. The learned standing counsel for the respondents submitted that he has no objection if a direction is given

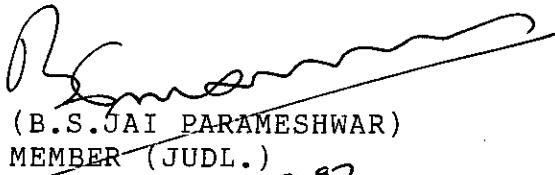


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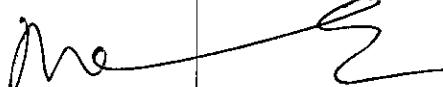
to R-1 to allow the applicant herein to sit for the selection to the post of Sweeper.

6. In view of the above, R-1 is directed to consider the case of the applicant also along with the candidates sponsored by the Employment Exchange for the post of Sweeper in accordance with the rules.

7. The OA is ordered accordingly at the admission stage itself. No order as to costs.


(B.S. JAI PARAMESHWAR)
MEMBER (JUDL.)

10.3.97


(R. RANGARAJAN)
MEMBER (ADMN.)

Amber
DR. RANGARAJAN

vsn

DATED: - 10th - March, - 1997
Dictated in the open court.

: 4 :

Copy to:-

1. The Superintending Archaeological Chemist, Southern Region, Sivam road, Sai Babanagar, Hyd.
2. The District Employment Officer, Hyd, Hyd Dist.
3. One copy to Sri. J.Kanakaiah, adv. c ate, CAT, Hyd.
4. One copy to Sri. V.Vined ku ar, Addl. CGSC, CAT, Hyd.
5. One copy to Sri. P.Naveen Rae, SC for AP, CAT, Hyd.
6. One copy to Deputy Registrar(A), CAT, Hyd.
7. One spare copy.

Rsm/-

1 Copier 26/3/97

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THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 10/3/97

ORDER/JUDGEMENT

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

D.A. NO. 264197

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALL TWO
DISPOSED OF WITH DIRECTIONS
DISMISSED
DISMISSED AS WITHDRAWN
ORDERED/REJECTED
NO ORDER AS TO COSTS.

II COURT
YLKR

