

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO. 272/97.

DATE OF ORDER : 28-2-1997.

Between :-

1. M.Satyanarayana
2. Ch.Sitaram
3. K.Nageswara Rao
4. G.Prasad
5. S.P.Udaya Kumar

... Applicants

And

1. Union of India,
Rep. by Secretary to Govt.
Dept., of Space,
Anthariksha Bhavan, New BEL Road,
Bangalore-560 094.
2. The Indian Space Research Organisation,
Rep. by Member (Personnel), Dpt. of Space,
Govt. of India, Anthariksha Bhavan,
New BEL Road, Bangalore-560 094.
3. The Director,
SHAR Centre, Sept. of Space,
Govt. of India, Sriharikota,
Nellore Dist.

... Respondents

Counsel for the Applicants : Shri P.Naveen Rao

Counsel for the Respondents : Shri V.Vinod Kumar, CGSC

CORAM:

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

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

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

...2.

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(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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Heard Shri P.Naveen Rao, counsel for the applicants and Shri V.Vinod kumar, standing counsel for the respondents.

2. Subject to registering the OA the following order is passed :-

The applicants in this OA are aggrieved by the notification of the recruitment rule for the post of Assistant-B in the respondents organisation. Their main grievance are as follows :

(1) By allowing certain quota for outsiders, promotional opportunities for serving Asst. Group-B will effect as there is stagnation and the remedy for this lies elsewhere;

(2) The Recruitment Rule take only prospective effect and should not take retrospective effect. This point has already been resolved in Ranghaia's case (1983 (SC) page 952) Hence this point should also be considered by the respondents if they issue notification for recruitment rules with retrospective effect;

(3) Five vacancies arose after the ^{trade} induction of ^{the} new recruitment rule. The learned counsel for the applicant submits that the roster earmarked for the direct recruits is not properly assessed and hence the applicants will be put at a dis-advantage.

3. Applicant, should submit a proper representation in this connection so as to rectify any mistake if occur^{ed}. Without submitting a representation, the applicant, cannot approach this Tribunal for any direction.

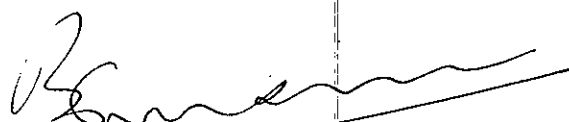
4. In view of the above we are of the opinion that the applicants ^{should} exhaust the normal channel grievance redressal machinery before filing an application in this Tribunal. We have no doubt in our mind that in case the applicants submit a representation, the same will be disposed of by the respondents in accordance

.....3.

- 3 -

with the rules and after perusing their grievance. As it is stated that an advertisement is issued already, the applicants may, if so advised, file a representation very shortly preferably within a period of one month. If such a representation is received the respondents will dispose of the same expeditiously preferably ^{before} the finalisation of written examination. If the applicants are going to be aggrieved by the reply going to be given by the respondents, they are at liberty to take such re-course as available under the law.

5. The O.A. is disposed of as above at the admission stage itself with no order as to costs.



(B.S. JAI-PARAMESHWAR)
Member (J)

28/497



(R. RANGARAJAN)
Member (A)

Dated: 28th February, 1997.

Dictated in Open Court.

Handwritten signature
By Registrar (B)

avl/

Copy to:-

1. The Secretary to Govt. Dept of Space, Union of India, Anthariksha Bhavan, New BEL road, Bangalore.
2. The Member(Personnel) Dept. of Space, Govt. of India, Anthariksha Bhavan, New BEL road, Bangalore.
3. The Director, SHAR Centre, ~~XXXXXXXXXXXX~~, Dept of Space, Govt. of India, Sriharikota, Nellore Dist.
4. One copy to Sri. P.Naveen Rao, Advocate, CAT, Hyd.
5. One copy to Sri. V.Vinod Kumar, Addl. CGSC, CAT, Hyd.
6. One copy to Deputy Registrar(A), CAT, Hyd.
7. One spare copy.

Rsm/-

7 copies

25/3/97

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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:

28/2/97

~~ORDER/JUDGEMENT~~

~~R.A./C.P./M.A. NO.~~

G.A. NO.

27/2/97

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

II COURT

YLKR

