

37

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) ).

-- -- --

*Jan*

*D*

...2.

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

--- --- ---

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 Rules 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 <sup>to be</sup> induction of <sup>new</sup> 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.

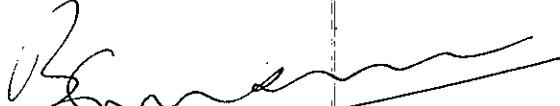
3. Applicant should submit a proper representation in this connection so as to rectify any mistake if occurs. Without submiting a representation, the applicant cannot approach this Tribunal for any direction.

4. In view of the above we are of the opinion that the applicants <sup>should</sup> ~~not~~ 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 -

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.

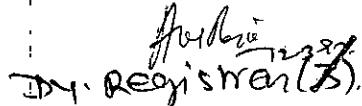
5. The O.A. is disposed of as above at the admission stage itself with no order as to costs.

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

28/2/97

  
(R.RANGARAJAN)  
Member (A)

Dated: 28th February, 1997.  
Dictated in Open Court.

  
My Registrar (S)

av1/

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, ~~SupexxxBxas~~,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.Vined Kumar, Addl. CGSC, CAT, Hyd.
6. One copy to Deputy Registrar(A), CAT, Hyd.
7. One spare copy.

Rsm/-

X COPY

25/3/97

TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

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

AND

THE HON'BLE SHRI B.S. SAI PARMESHWAR:  
M(J)

DATED: 28/2/97

~~ORDER/JUDGEMENT~~

R.A. /C.P./M.A. NO. 272197

O.A. NO. 272197

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DISMISSED AS WITHDRAWN  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

II COURT

YLR

