

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.501/97

dt.29-4-97

Between

D. Koti Veeraiah Chowdary : Applicant

and

1. General Manager
SC Rly., Railnilayam
Secunderabad (AP)

2. Selection Committee for
the Posts of Assistant Controller of
Stores, rep. by its Chairman
"Controller of Stores"
Railnilayam, Secunderabad (AP)

3. Smt. PV Kumar, at present
working as Asstt. Controller of Stores
Railnilayam, 6th Floor, SC Rly
Secunderabad AP

4. Sri K. Mallaiah
SC Rly, RE/Vijayawada,
Krishna Dist. at present working
as Asstt. Controller of Stores
Andhra Pradesh

5. Sri N.R. Rafiq Ahmed, at present
working as Assistant Controller
of Stores, Hubli

6. Sri B. Srinivasulu, at present working
as Assistant Controller of Stores,
Gooty, Anantapur Dist. A.P. : Respondents

Counsel for the applicant : N. Krishna Murthy
Advocate

Counsel for the respondents : N. Rajeswara Rao
SC for Railways

CORAM

HON. MR. JUSTICE K.M. AGARWAL, CHAIRMAN

HON. MR. H. RAJENDRA PRASAD, MEMBER (ADMN.)

Ym

OA.501/97

dated : 29-4-1997

Judgement

Oral order (per Hon. Mr. Justice K.M. Agarwal, Chairman)

Heard the learned counsel for the applicant on admission.

1. By this petition under Section 19 of the Administrative Tribunals Act, 1985, the applicant is challenging the selection of Respondents- 3 to 6 for the Class-B Post on the ground that they were not graduates and therefore not eligible to be considered for Class-B post. It has been stated in the petition that a representation has also been made to the first respondent on 18-2-1997 but so far that has not been decided by him and therefore this application has been filed.

2. We are of the view that the applicant atleast should have awaited the decision of the first respondent on his representation for some time i.e. say for a period of six months as anticipated in Section 21 of the Administrative Tribunals Act 1985 and thereafter should have approached the Tribunal.

3. The Standing counsel for the Department is also present and he admits that a representation has been received by the first respondent. Under the circumstances we are of the view that this application may be disposed of at the admission stage itself by directing the first respondent to decide the representation of the applicant within a period of three months from the date of receipt of copy of this order. The applicant

..2.

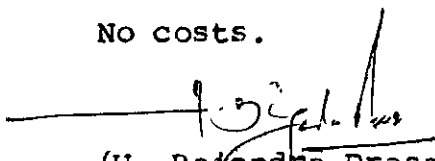
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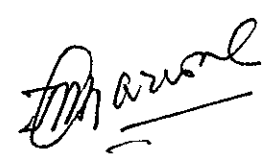
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shall be at liberty to approach this Tribunal again if his representation is not disposed of within the time specified in this order and if he feels aggrieved by the order on his representation.

4. The OA is disposed of at the admission stage.

No costs.


(H. Rajendra Prasad)
Member (Admn.)


(K.M. Agarwal)
Chairman

Dated : April 29, 97
Dictated in Open Court


Deputy Registrar

sk

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O.A.501/97

To

1. The General Manager,
SC Rly, Railnilayam,
Secunderabad(A.P)
2. The Chairman, Section Committee for,
the posts of Assistant Controller of Stores,
"Controller of Stores" Railnilayam,
Secunderabad(AP)
3. One copy to Mr. N.Krishna Murthy, Advocate, CAT.Hyd.
4. One copy to Mr.N.Rajeswar Rao, SC for Rlys, CAT.Hyd.
5. One copy to D.R.(A) CAT.Hyd.
6. One spare copy.

pvm.

9/6/97

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE K.M. Agarwal,
CHAIRMAN

and

THE HON'BLE MR. H. RAJENDRA PRASAD, J.

Dated: 29-6-1997

~~ORDER/JUDGMENT~~

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

in

O.A.No.

501/97

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 अधिकरण
Central Administrative Tribunal
ब्रेल/DESPATCH

-9 MAY 1997

हैदराबाद बेंच
HYDERABAD BENCH