

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH  
AT HYDERABAD

OA.670/97

dt.24-2-98

Between

D. Koti Veeraiah Chowdary : Applicant

and

1. Genl. Manager  
SC Rly., Railnilyam  
Secunderabad

2. Controller of Stores  
6th Floor SC Rly.,  
Rly. Nilayam  
Secunderabad

3. Chief Personnel Officer  
4th Floor, SC Rly.,  
Rail Nilayam  
Secunderabad

1 Respondents

Counsel for the applicant

L P. Venkateswarlu  
Advocate

Counsel for the respondents

: V. Bhimanna  
SC for Railways

Coram

HON. MR. A.V. HARIDASAN, VICE CHAIRMAN, (ERNAKULAM BENCH)

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

OA.670/97

dt.24-2-1998

## Order

Oral order (per Hon. Mr. A.V. Haridasan, Vice Chairman(EB))

The applicant, presently working as Depot Store Keeper, was aggrieved by the alleged wrong method of selection for appointment to the post of Assistant Controller of Stores towards 70% quota. Therefore he filed OA.501/97, which was disposed off with a direction that the respondents shall consider and dispose off the representation submitted by the applicant. While the representation was being considered but not disposed off steps were taken for filling up vacancies under 30% quota by the impugned wireless message. The applicant says that if the vacancy under 30% quota are also filled up before his representation is disposed off he would be deprived of an opportunity to promotion, therefore he has filed this application praying that the wireless message No. P.607/GAZ/Stores/LDCE/95 dt.2-5-97 may be set aside as unjust, unfair, arbitrary and illegal.

2. In the application the only ground taken is that for appointment of Assistant Controller of Stores, as per the Railway Board Circular, the academic qualification required is graduation as on 1-7-1996 and the persons who do not possess the qualification are also being considered.

3. The respondents filed a reply statement. They have contended that the applicant has filed this application without any legitimate grievance. It is also contended that the Educational qualification of Graduation for appointment to the post of Assistant Controller of Stores is not to be insisted upon until amendment of the Recruitment rules as per the Railway Board letter dated 16-7-1996.

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4. We have perused the pleadings in the application and also heard the learned counsel. Learned counsel for the applicant has made available for our perusal a copy of letter of the Railway Board dated 16-7-1996, wherein it is seen that the requirement of minimum academic qualification prescribed vide Railway Board letter referred in that letter for promotion from Group-C to Group-B would come into force only after the amendment of the relevant Recruitment rules. Therefore, the contention of the applicant that permission given to the under-gratuates to appear for the selection is against the provisions of the Railway Board's letter, has no force.

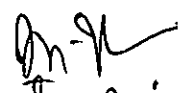
5. As there is no link between selection and appointment to the 70% and 30% quota the applicant who is a candidate for 70% quota cannot have any legitimate grievance against selections against 30% quota.

6. Therefore the application has no merit and the same is dismissed, leaving the parties to bear thier own costs.

  
(H. Rajendra Prasad)  
Member (Admn.)

  
(A.V. Haridasan)  
Vice Chairman (EB)

Dated : February 24, 98  
Dicated in Open Court

  
Deputy Registrar

sk

O.A.670/97.

To

1. The General Manager, SC Rly, Railnilayam, Secunderabad.
2. The Controller of Stores, 6th Floor SC Rly, Rly.Nilayam, Secunderabad.
3. The Chief Personnel Officer, 4th Floor, SC Rly, Railnilayam, Secunderabad.
4. One copy to Mr.P.Venkateswarlu, Advocate, CAT.Hyd.
5. One copy to Mr.V.Bhimanna, SC forRlys, CAT.Hyd.
6. One copy to DR(A) CAT.Hyd.
7. One spare copy.

pvm

11/3/98

I Court

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE A V Haridasan  
VICE-CHAIRMAN *Emakulan*  
AND *Bench*

THE HON'BLE MR. H. RAJENDRA PRASAD: M(A)

DATED: 24-2-1998

~~ORDER~~/JUDGMENT:

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

O.A.No. 670/97 in

T.A.No.

(W.P.)

Admitted and Interim directions  
Issued.

Allowed

Disposed of with direction

Dismissed.

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm.

