

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

D.A.No.688 OF 1997.

DATE OF ORDER:23-2-1999.

BETWEEN:

N.Ramamurthy Rao.

....Applicant

a n d

1. Union of India, represented by its Secretary, Department of Personnel & Training, Central Secretariat, North Block, New Delhi-110 001.
2. Union Public Service Commission, represented by its Secretary, Dholapur house, New Delhi.
3. The Government of Andhra Pradesh, represented by its Chief Secretary Andhra Pradesh, Secretariat Buildings, Hyderabad.
4. The Principal Secretary to Government, Revenue Department, Secretariat Buildings, Hyderabad.
5. The Commissioner of Land Revenue, Andhra Pradesh, Nampally Station Road, Hyderabad.

.....Respondents

COUNSEL FOR THE APPLICANT :: Mr.G.Gopal Rao

COUNSEL FOR THE RESPONDENTS :: Mr.B.Narasimha Sharma &
:: Mr.P.Naveen Rao for State of A.P.

CORAM:

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN)

A N D

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

: O R D E R :

ORAL ORDER (PER HON'BLE SRI R.RANGARAJAN, MEMBER (A))

Heard Mr.G.Gopal Rao, learned Counsel for the Applicant, none for the Central Government and Mr.P.Naveen Rao, learned Standing Counsel for the State of A.P.



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2. The applicant is an aspirant for ~~the~~ ^{promotion} ~~selection~~ to the IAS cadre at Andhra Pradesh by ^{selection} ~~promotion~~. The applicant submits that the number of vacancies for the year 1995-96 in which year he was considered for promotion to the IAS cadre, was not calculated correctly and because of that his chance of promotion was hampered. He submits that in the year 1994-95, the number of vacancies for which select panel was made for 20 months period and if those vacancies ^{were} ~~are~~ calculated only for One year period, then the released vacancies from 1994-95 ^{would have been} ~~will be~~ added to the year 1995-96 selection and thereby ~~the~~ applicant would have been selected to the cadre of IAS.

3. This OA is filed praying for a declaration that the respondents have wrongly calculated the vacancies for appointment by promotion to the Indian Administrative Service for the year 1995-96, as eight instead of sixteen, and for a consequential direction to the respondents to calculate the vacancies for the year 1995-96 correctly in accordance with the I.A.S. (Appointment by Promotion) Regulations, 1955, as amended from time to time and to promote the applicant to IAS by including his name in the panel for the year 1995-96 as one of the candidates with all consequential benefits, such as, seniority, pay and other attendant benefits.

4. A reply has been filed in this OA. It has been clearly stated in Para.8 that "the name of the applicant was included in the proposals for the Select Lists for the years 1995-96 and 1996-97 alongwith other eligible

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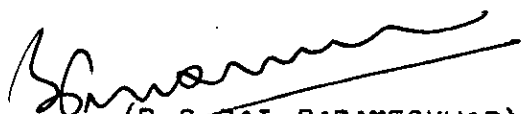
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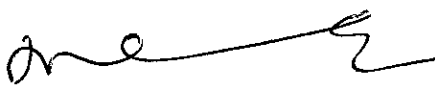
officers. The integrity of the applicant was also certified by the Competent Authority. The Selection Committee considered the case of the applicant and graded him as unfit in the above mentioned years".

5. ^{fact in} ~~From~~ the above, the reply is not controverted. The above reply clearly states that the applicant was found unfit in the selection for the year 1995-96. Even if the vacancies are increased as requested by the applicant, the applicant cannot get any relief as he was not found fit by the Selection Committee. Hence, even if the OA is allowed, the applicant will get no benefit. Hence, there is no reason to further consider this issue in regard to the question of number of vacancies assessed for the year 1995-96. But the applicant is at liberty to challenge the selection for the year 1995-96, if he is aggrieved by the results of the Selection.

6. Though the applicant submits that number of vacancies for the year 1994-95 has been boosted, it is not challenged in the relief column which has been indicated above. Hence, the question of consideration of the vacancies assessed for the year 1994-95 is not a point for consideration in this OA.

7. In view of what is stated above, we find ^{UOR} there is no merit in this OA. Hence this OA is dismissed. However, the applicant is at liberty to challenge the Selection in accordance with rules, if so advised, for the selection year 1995-96. No costs.

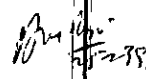

(B.S. JAI PARAMESHWAR)
MEMBER (JUDL)


(R. RANGARAJAN)
MEMBER (ADMN)

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DS
N

23/2/99
Dated: this the 23rd day of February, 1999
Dictated in open Court

 23/2/99

A
23/99

1st and 2nd Court.

Copy to:

1. HDHND
2. HHRP M(A)
3. HSSP M(J)
4. D.R. (A)
5. SPARE

Typed By
Compared by

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Approved by

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD.

THE HON'BLE MR. JUSTICE D.H. NASIR:
VICE - CHAIRMAN

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

THE HON'BLE R. RANGARAJAN
MEMBER (A)

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

DATED: 23/2/99

ORDER/JUDGMENT

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

IN

C.A.NO : 688/97

ADMITTED AND INTERIM DIRECTIONS
ISSUED.

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED.

NO ORDER AS TO COSTS

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