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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.A.No.69/97.

Date of order : 25.2.1997.

Between

A.Ramakrishna Rao

.. Applicant

And

1. The Govt. of India,
Reptd. by Secretary,
Min. of Information &
Broadcasting, Sastry Bhavan,
New Delhi.

2. The Director-General (News),
News Services Division,
All India Radio,
New Delhi.

3. The Station Director,
All India Radio,
Govt. of India,
Hyderabad (A.P.).

.. Respondents

Counsel for the Applicant

.. Shri Y.Suryanarayana

Counsel for the Respondents

.. Shri V.Rajeswara Rao,
Addl. CGSC

C O R A M

Hon'ble Shri Justice M.G. Chaudhari : Vice-Chairman

Hon'ble Shri H.Rajendra Prasad : Member(A)

Order

In view of the reply dated 7.2.97 together with annexure submitted thereof ^{with} and answer to the queries raised on 22.1.97 even after considering the submissions urged on behalf of the applicant particularly that ^{applicant} he could be easily accommodated in the post of Regional Censor Officer we find it difficult to grant ^{such} a direction to the respondents.

2. The respondents have stated that the matter has been carefully examined but as there is no Senior Grade Group 'A' post available in IIS cadre in any media at Hyderabad, it may not be possible to accommodate the applicant in Hyderabad. We could at the highest require the respondents to consider accommodating the applicant in Hyderabad with which object we ^{had} ~~have~~ given the directions dated 24.1.97. However we cannot

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interfere with the administration and if it has not been found possible by the respondents to accommodate the applicant in any post in Hyderabad we cannot interfere with that decision nor can we direct the applicant to be accommodated in a post to which he has no legal claim. The O.A. therefore cannot be entertained.

3. The applicant has been representing that in view of the education of his son at Hyderabad and his daughter at Bangalore it will be inconvenient for him to shift to Delhi immediately and at least till the current academic year for both of them is over. Hence he submits that at least till 30.4.97 the respondents should have accommodated him in Hyderabad.

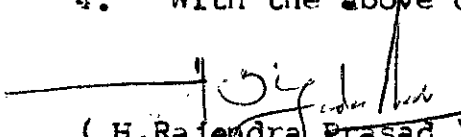
Alternatively he submits that at least ^{till} then he should be granted leave as he is entitled to the same under the rules.

On both these aspects it is primarily for the respondents to have taken the decision. The respondents have stated in their reply that the applicant may apply for leave upto 14.2.97 which would mean that they would have no objection to grant the same. We do not see any reason as to why an application for leave as may be available to the applicant if made as per the rules for further period from 22.2.97

to 30.4.97 ^{would} should be ordinarily refused by the respondents.

We would therefore observe that in the event of the applicant applying for leave firstly for the period covered upto 14.2.97 as may be necessary and for further period upto 30.4.97 the respondents may not refuse the same on technical grounds and considering his family problem may consider granting the same as per rules.


4. With the above observations the O.A. is disposed of.


(H. Rajendra Prasad)
Member (A).


(M.G. Chaudhari)
Vice-Chairman.

Dated: 25.2.1997.
Dictated in Open Court.

br.


(D.R. Thakur)

(42)

O.A.69/97

To

1. The Secretary, Govt.of India,
Ministry of Information
and Broadcasting, Sastry Bhavan,
New Delhi.
2. The Director General (News)
News Services Division, All India Radio,
New Delhi.
3. The Station Director, All India Radio,
Govt.of India, Hyderabad(A.P.)
4. One copy to Mr.Y.Suryanarayana, Advocate, CAT.Hyd.
5. One copy to Mr.V.Rajeswara Rao, Addl.CGSC, CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One copy to D.R.(A) CAT.Hyd.
8. One spare copy.

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26/3/97-

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE M.G. CHAUDHARI
VICE-CHAIRMAN

AND

THE HON'BLE MR. H. RAJENDRA PRASAD
MEMBER (ADMN)

Date: 25-2-1997

~~ORDER~~ JUDGMENT

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

in

O.A.No.

69/97.

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.

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केन्द्रीय प्रशासनिक न्यायालय
Central Administrative
Tribunal