

9. Sri A.M.Khan, Jr.Lecturer,
Railway Junior College, Kazipet.
10. Sri J.Satyanarayana, Jr.Lecturer,
Railway Junior College, Kazipet.
11. Smt.M.K.Prabhavathi, Jr.Lecturer,
Railway Junior College, Kazipet.
12. Smt.K.Janaki, Junior Lecturer,
Railway Junior College, Lalaguda,
Secunderabad.

.. Respondents

COUNSEL FOR THE APPLICANT :: Mr.V.Venkateshwara Rao

COUNSEL FOR THE RESPONDENTS :: Mr.V.Rajeshwara Rao
1 to 3

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 :

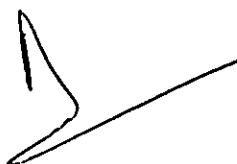
ORAL ORDER (PER HON'BLE SRI R.RANGARAJAN, MEMBER (A))

Heard Mr.V.Venkateshwara Rao, learned Counsel
for the Applicant and Mr.V.Rajeshwara Rao, learned
Standing Counsel for the Official Respondents.

Notices have been served on all the private
respondents 4 to 12 in the OA.No.81 of 1997, as
stated by the Court Officer. All of them were called,
absent.

2. The contentions raised by the applicant in both
the OAs and also the reliefs prayed for are the same.
Hence, both the OAs are being disposed of by this
Common Order.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

O.A.No.1058 OF 1996.

DATE OF ORDER: 4-1-1999.

Between:

J.Luther Benny. .. Applicant

and

1. Union of India, Represented by General Manager, South Central Railway, Rail Nilayam, Secunderabad.
2. The Chief Personnel Officer, South Central Railway, Rail Nilayam, Secunderabad.
3. The Divisional Railway Manager (P), South Central Railway, Vijayawada.

.. Respondents

O.A.No.81 OF 1997

BETWEEN:

J.Luther Benny. .. Applicant

and

1. Union of India, Rep. by its General Manager, South Central Railway, Rail Nilayam, Secunderabad.
2. The Chief Personnel Officer, South Central Railway, Rail Nilayam, Secunderabad.
3. The Divisional Railway Manager (P), South Central Railway, Vijayawada.
4. Sri R.T.Patil, Head Master, Marathi Medium, Railway High School, Dornakal.
5. Sri A.P.Anjaneyulu, Head Master, English Medium, Railway Model High School, Guntakal.
6. Sri Sudem Ramdev Kandare, Head Master, Marathi Medium, Railway Model High School, Guntakal.
7. Sri C.V.L.Narayana Rao, Head Master, Railway Model High School, Bitragunta.
8. Sri T.Kutumba Rao, Headmaster, Railway Upper Primary School, Telugu Medium, Bapatla.

-4-

OAs are also disposed of with the similar direction.
No costs.

The Judgment in this OA ~~will~~^{can} in no way be
quoted as a preceden~~t~~^t for future.

शापित प्रति
CERTIFIED TRUE COPY

क्रम संख्या
CASE NUMBER OA 1058/96
निम्न दायरा
DATE OF FILE FILED 4-1-99
इति दस्तावेज़ COPY MADE ON 14-1-99
COPY MADE ON 14-1-99

क्रम संख्या १०५८/९६ दायरा अधिकारी
Court Officer, Court Officer
दायरा निम्न अधिकारण
Central Administrative Tribunal
हैदराबाद यायाग्रह
HYDERABAD BENCH.

3. The same applicant has filed these OAs. The OA.No.1058 of 1996 was filed earlier to the selection conducted for the post of Head Master for which notification was issued bearing No.P.(Gaz)607/School's/96, dated:10-7-1996 (Annexure.A-VI, page.17 to the OA). Hence, the applicant in this OA has not impleaded the selected candidates.

4. The OA.No.81 of 1997 was filed after the selection was over and hence the selected candidates have been impleaded as the private respondents.

5. The applicant in this OA was initially appointed as a Trained Graduate Teacher with effect from 1-10-1971. He was promoted as PGT Teacher and posted to Purna(Marathi Medium) by Office Order No.2/93, in Proceedings No.P.594/SEL/II/Vol.IV, dated:28-6-1993. He was transferred as a Junior Lecturer to the Railway Junior College at Kazipet on 29-7-1993. His candidature for the post of Head Masters/Head Mistress 'Grade-B' was rejected by memo dated:9-8-1996, by which other candidates were called for Viva Voce test.

6. This OA is filed for the same relief as was prayed for in OA.No.1057 of 1996 and OA.No.82 of 1997. The contentions raised in these OAs are the same as the contentions raised in the other OAs referred to above. Those OAs were disposed off by us today.

7. In view of the reasons stated in the Order in OA.No.1057 of 1996 and OA.No.82 of 1997, these

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HONOURABLE SRI JUSTICE V.ESWARAIAH
AND
HONOURABLE SRI JUSTICE P.SWAROOP REDDY

W.P.No.8736 of 1999

ORDER: (Per Hon'ble Sri Justice V.Eswaraiah)

This writ petition was already dismissed for default against the contesting respondent No.1, who is the applicant in O.A.No.1058 of 1996, on the file of the Central Administrative Tribunal, Hyderabad, by order dated 01-12-2004. Therefore, no relief can be granted against him as the writ petition stands dismissed against the contesting respondent No.1.

Accordingly, the writ petition is dismissed. No costs.

Sd/- T. LAKSHMI HEMALATHA
ASSISTANT REGISTRAR
// TRUE COPY //

RW
SECTION OFFICER

To

1. The Central Administrative Tribunal, Hyderabad Bench, Hyderabad
2. Two CD Copies
3. The General Manger, South Central Railway, Rail Nilayam, Secunderabad
4. The Chief Personnel Officer, South Central Railway, Rail Nilayam, Secunderabad
5. One CCs to Sri Gouri Shankar Sanghi, Advocate (OPUC)
ZB

*J. Subramanian
31/09*

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

H.C. 69/2009

MONDAY, THE FIFTEENTH DAY OF JUNE
TWO THOUSAND AND NINE

PRESENT

THE HON'BLE SRI JUSTICE V.ESWARAIAH
and
THE HON'BLE SRI JUSTICE P.SWAROOP REDDY

WRIT PETITION NO : 8736 of 1999

Between:

- 1 Union of India Rep. by General Manager,
South Central Railway, Rail Nilayam, Secunderabad.
- 2 Chief Personnel Officer,
South Central Railway, Rail Nilayam, Secunderabad.
- 3 Divisional Railway Manager,
South Central Railway, Vijayawada.

.... PETITIONER(S)

AND

- 1 J.Luther Benny,
Rly. Junior College, Kazipet, Warangal Dist.
- 2 Central Administrative Tribunal, Hyderabad Bench,
Hyderabad.
- 3 R.T. Patil.
- 4 A.P.Anjaneyulu
- 5 Sudem Ramdev Kandare
- 6 C.V.L.Narayana Rao
- 7 T.Kutumba Rao
- 8 A.M.Khan
- 9 J.Satyanarayana
- 10 M.K.Prabhavaathi
- 11 Smt. K. Janaki

(Respondent No. 3 to 11 are not necessary parties this W.P.,)

(Respondent NO. 1 dismissed for default as per court order dated:
01.12.2004)

....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that
in the circumstances stated in the Affidavit filed herein the High Court will
be pleased to issue a Writ of Mandamus or any other appropriate Writ,
order or direction thereby quashing the order of the Central
Administrative Tribunal, Hyderabad passed in O.A.NO. 81 of 1997, dt.
4.1.1999 as null and void and allow the Writ Petition with costs
throughout.

Counsel for the Petitioner: SRI GOURI SHANKAR SANGHI

Counsel for the Respondent No. 2 : NONE

The Court made the following: ORDER

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15 JUL 2009

RECEIVED
RESPATCH
REGISTRATION SECTION

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

OA No.81/97

Date of Decision: 27.1. 1997

BETWEEN:

J. Luther Benny

.. Applicant

AND

1. Union of India, Rep. by its General Manager, South Central Railway, Rail Nilayam, Secunderabad.
2. The Chief Personnel Officer, S.C. Railway, Rail Nilayam, Secunderabad.
3. The Divisional Railway Manager (P), S.C. Railway, Vijayawada
4. R.T. Patil (5) A.R. Anjaneyulu
(6) Sudem Ramdev Dandere,
(7) C.V.L. Narayana Rao
(8) T. Kutumba Rao (9) A.M. Khan
(10) J. Satyanarayana
(11) M.K. Prabhavathi (12) K. Janaki .. Respondents

Counsel for the Applicants: Mr. V. Venkateswara Rao

Counsel for the Respondents: Mr. V. Rajeswar Rao

CORAM:

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

THE HON'BLE MR. R. RANGARAJAN: MEMBER (ADMN.)

ORDER

(Per Hon'ble Mr. Justice M.G. Chaudhari, Vice Chairman)

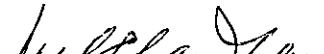
Mr. D. Venkateswar Rao learned counsel for the applicant and Mr. V. Rajeswar Rao, Standing Counsel for the Respondents.

Earlier OA being OA No.1058/96, ^{is pending -} Aggrieved by non-inclusion of the applicant in the eligibility list the instant OA has been filed after the respondents No.4 to 12 were selected and empanelled for promotion to the post of Gazetted Head Master. An interim order has already been passed in the earlier OA making the promotions subject to the result of that O.A.

The present OA, therefore, is in continuation of the earlier OA. Mr. (V.) Rajeswar Rao submits that the applicant has to withdraw his earlier OA as the grievence therein also forms part of the present OA. Mr. V. Venkateswar Rao submits that instead of seeking ammendment of the earlier OA he has filed this OA for the sake of convenience. It may be clubbed with the earlier OA and it is not necessary to withdraw the earlier OA. In the circumstances we are inclined to direct the instant OA to be clubbed with the proceedings in OA 1058/1996. The OA is admitted. The official respondents will be at liberty to file a comprehensive counter in the instant OA and they may not file separate counter in the earlier OA. However, if they so choose, it is open to them to file separate counters. The OA are clubbed as for convenience however it will clubbing both OA. It does not automatically mean that if there arises any conflict in the case of applicant in the instant OA as set out in the earlier OA that will not be taken into consideration in accordance with the law. Hence OA admitted. Respondents to file counter within a period of 8 weeks. Thereafter both OA to be proceeded together. Liberty to apply for early date after expiry of 8 weeks in both the OAs.



(R. RANGARAJAN)
MEMBER (ADMN.)



(M.G. CHAUDHARI)
VICE CHAIRMAN

Date: 27th January, 1997
Dictated in the open court

KSM

Deputy Registrar (S) ce

27-1-97

O.A.81/97

To

1. The General Manager, Union of India,
SC Rly, Rail nilayam, Secunderabad.
2. The Chief Personnel Officer,
SC Rly, Railnilayam, Secunderabad.
3. The Divisional Railway Manager (P)
SC Rly, Vijayawada.
4. ~~Mr.~~ T.T.Patil, Head Master,
H.M. High School, Dornakal.
5. Sri A.R.Anjaneyulu, H.M.
Railway Model High School, Guntakal
6. Sri Sudem Ramdev Kandere, H.M.Marathi Medium,
Railway Model High School, Guntakal.
7. Sri C.V.L.Narayana Rao, H.M. Railway Model High School
Bitragunta.
8. Sri T.Kutumba Rao, H.M. Railway Upper primary School.
Telugu Medium, Bapatla.
9. Sri A.M.Khan, Jr.Lecturer, Railway Junior College, Kazipet.
10. Sri J.Satyanarayana, Jr.Lecturer,
Railway Junior College, Kazipet.
11. Smt.M.K.Prabhavathi, -d9-
12. Smt.K.Janaki, Jr.Lecturer, Railway Junior College,
Lalaguda, Secunderabad.
13. One copy to Mr.V.Venkateswar Rao, Advocate, CAT.Hyd.
14. One copy to Mr. V.Rajeswar Rao, SC for Rlys, CAT.Hyd.
15. One spare copy.

pvm.

Parveen
TYPED BY

I COURT

COMPARED BY

CHECKED BY

APPROVED BY

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)

Dated: 27-1-1997

ORDER / JUDGMENT

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

in

O.A. No.

81/97

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.

p.v.m.

