

(3)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ; HYDERABAD BENCH

AT HYDERABAD

O.A.No. 83/97

Date of Order: 21.1.97

BETWEEN:

- | | |
|--------------------------|-------------------------------|
| 1. T.Santosh Kumar | 12. S.Srinivasa Rao |
| 2. Krishnamoorthy | 13. V.Sundereswara Rao |
| 3. A.Sambi Reddy | 14. K.Sudhakar |
| 4. K.Devender Reddy | 15. Smt.S.Padma |
| 5. Smt.Vasantha R Nair | 16. G.Gandaiah |
| 6. Smt. U.Subba Lakshmi | 17. M.A.Wadood |
| 7. Smt. V.Dnana Lakshmi | 18. P.R.K.Dutt |
| 8. Smt. V.Sulochana | 19. Smt. L.Farzana |
| 9. Smt. B.Rama | 20. K.Viswanandham |
| 10. Smt. Geeta K. Murthy | 21. Smt. P.V.N. Rajeswari |
| 11. K.Sadanandam | 22. Smt. Nalinichandrika Dass |
| | .. Applicants. |

AND

1. Engineer - in -Chief, Army Head Quarters,
Kashmiri House, New Delhi - 110 011.
2. The Union of India, rep. by its
Secretary to Govt. of India, Ministry of Defence South Block,
New Delhi - 110 011.
3. Chief Engineer, Southern Command, Pune-411 001.
4. Chief Engineer, Research and Development
Picket, Secunderabad. .. Respondents.

Counsel for the Applicants .. Mr.V.V.Sarma

Counsel for the Respondents .. Mr.V.Rajeswara Rao

CORAM:

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUD L.)

J U D G E M E N T

{ Oral order as per Hon'ble Shri R.Rangarajan, Member (Admn.) }

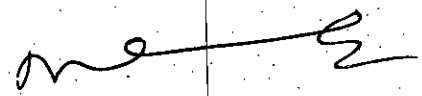
Heard Mr.V.V.Sarma, learned counsel for the applicants
and Mr.V.Rajeswara Rao, learned standing counsel for the
respondents.

2. There are 22 applicants in this OA. They are working as L.D.Cs under R-4. They seek a direction to the respondents to frame/finalise the scheme providing for time bound promotions to clerical staff in the Military Engineering Service as was done in the case of Superintendents (BR/EM)/Surveyor Assistants Grade I and Grade II of MES in terms of letter No. DE 00227/1993/1/1993/D, dt. 25.4.96 (A-4).

3. The request of the applicants may have to be considered by the respondents organisation only and no direction can be given by the Tribunal in this connection as it is a policy matter. Hence the applicants may make a detailed representation to R-2 and R-2 shall consider the representation taking into consideration the totality of the circumstances and pass appropriate orders within four months from the date of receipt of the representation. The applicants will produce a copy of this order along with the representation before R-2 who shall acknowledge the same.

4. The OA is ordered accordingly at the admission stage itself. No costs.


(B.S. JAI PARAMESHWAR)
Member (Judl.)


(R. RANGARAJAN)
Member (Admn.)

21.1.97
Dated: 21st January, 1997

(Dictated in Open Court)

sd


Dy. Registrar (3)

Copy to:-

1. Engineer-in-Chief, Army Head Quarters, Kashmiri House, New Delhi.
2. The Secretary to Govt. of India, ^{Ministry of Defence South Block} Union of India, New Delhi.
3. Chief Engineer, Southern Command, Pune.
4. Chief Engineer, Research and Development Picket, Sec'bad.
5. One copy to Sri. V.V.Sarma, advocate, CAT, Hyd.
6. One copy to Sri. V.Rajeswara Rao, Addl. CGSC, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

Rem/-

URGENT

21/1/97

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR:
M(J)

DATED:

21/1/97

Order/Judgement

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

O.A. NO.

83/97

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

~~DISPOSED OF WITH DIRECTIONS~~

~~DISMISSED~~

~~DISMISSED AS WITHDRAWN~~

~~DISMISSED FOR DEFAULT~~

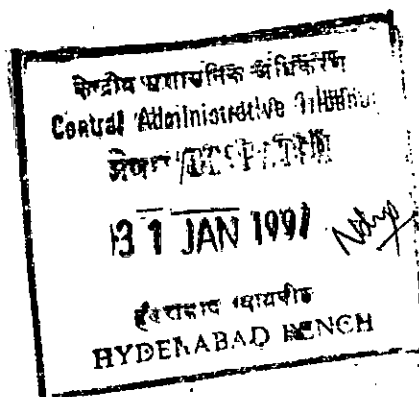
~~ORDERED/REJECTED~~

~~NO ORDER AS TO COSTS.~~

II COURT

YLKR

Howe et al. 2/1/97



.. 2 ..

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प्रमाणित प्रति
CERTIFIED TO BE TRUE COPY

न्यायालय अधिकारी
COURT OFFICER
केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
हैदराबाद न्यायपीठ
HYDERABAD BENCH

केस नम्बर	MA 83/97
CASE NUMBER	MA 83/97
नियुक्त का तारीख	21/1/97
Date of Judgement	21/1/97
किस तारीख पर किया गया दिनांक	29/1/97
Copy Made Ready on	29/1/97
अनुपम अधिकारी (न्यायिक) Section Officer (J)	

7

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 83/97

Date of Order: 21.1.97

BETWEEN:

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| 1. T.Santosh Kumar | 12. S.Srinivasa Rao |
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| 10. Smt.Geeta K.Murthy | 21-Smt.P.V.N.Rajeswari |
| 11. K.Sadanandam | 22. Smt.Nalinichandrika Dass |
| | .. Applicants. |

AND

1. Engineer - in -Chief, Army Head Quarters,
Kashmiri House, New Delhi - 110 011.
2. The Union of India, rep. by its
Secretary to Govt. of India, Ministry of Defence South Block,
New Delhi - 110 011.
3. Chief Engineer, Southern Command, Pune-411 001.
4. Chief Engineer, Research and Development
Picket, Secunderabad. .. Respondents.

Counsel for the Applicants

.. Mr.V.V.Sarma

Counsel for the Respondents

.. Mr.V.Rajeswara Rao

CORAM:

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUD L.)

J U D G E M E N T

{ Oral order as per Hon'ble Shri R.Rangarajan, Member (Admn.) }

Heard Mr.V.V.Sarma, learned counsel for the applicants
and Mr.V.Rajeswara Rao, learned standing counsel for the
respondents.

By Hand

Tele :- 244396

Rev. Regd. Post
Chief Engineer R&D
Picket
Secundershabad-500003

10471/SP Sarma/ 4 /EILC

31 Dec 96

Shri NV Ramana, Advocate
331/2RT
Sanjeeva Reddy Nagar
Hyderabad-500 032

COURT CASE OA SR NO 3694/96, 3681/96 FILED BY SHRI S
PRABHAKARA SARMA AND OA NO /96 FILED BY SHRI CN CHARY VS
GOI AT CAT HYDERABAD BENCH

Dear Sir,

1. Please refer the above OAs.

2. Engineer-in-Chief's Branch, Army HQ intimated vide their letter No 90237/5410/EIC(Legal-A) dt 27 Nov 96 (~~Copy enclosed~~) that all India Clerical Association and/others members have filed a number of petitions in various benches of CAT including Principal Bench at Delhi. The Hon'ble Tribunal at Delhi has already passed the orders on 06 Nov 96 to the following effect :-

"Applicants may make a detailed representation before respondent, Union of India through Secretary, Ministry of Defence, and the respondent shall consider the representation taking into consideration the totality of circumstances and pass appropriate orders within four months of the date of receipt of the representation. This is an area which cannot brook delay. Applicants will produce a copy of this order and a copy of the application before first respondent, who shall acknowledge the same and applicants shall thereafter lodge the acknowledgement will form part of the record".

3. You are therefore requested to approach the Hon'ble CAT to adjourn hearing the above cases till transfer of all the cases to CAT Principal Bench New Delhi.

4. Copy of the Hon'ble Tribunal Delhi Order dt 06 Nov 96 is enclosed herewith for your information and further action.

Yours faithfully,

P. Gopalakrishnan

(P Gopalakrishnan)
Major
Adm Offr
for Chief Engineer

Encis : As above

Copy to :-

DESC (EIB(S))
Pune-01

- For info wrt to your HQ letter No 131701/
AI(MES)CC Assn/EIB(S) dt 16 Dec 96.

Internal : -

10471/CN Chari/EILC

anil/*

CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH

CA No.2357/1996

MA No.2272/1996

New Delhi this 6th November, 1996.

HON'BLE SHRI JUSTICE CHITTUR SANKARAN NAIK, CHAIRMAN

HON'BLE SHRI S. P. BISIAS, MEMBER(4)

1. All India M.E.S. Clerical Cadre
and Group 'D' Employees Association,
Central H.Q. AMCOGDEA,
C/O C.E., Delhi Zone,
Delhi Cantt-10
through, the General Secretary,
D.C. Bahukhandi.

2. Brij Kishore LDC
C/O Garrison Engineer,
Red Fort, Delhi-6

3. S.S. Rauthan, UDC,
C/O Chief Engineer, Delhi Zone,
Delhi Cantt-10

4. Tara Chand,
Officer Superintendent Grade-II,
ET(P) No.2
Delhi Cantt-10.

... Applicants

(By Shri A.K. Bhardwaj, Advocate)

- Versus

1. Union of India through
Secretary, Ministry of Defence,
Government of India,
Central Secretariat,
South Block, New Delhi.

2. Secretary,
Ministry of Finance,
Central Secretariat,
New Delhi.

3. Engineer-in-Chief,
Kashmir House,
Army Headquarters,
New Delhi-11.

4. Secretary, Department of
Personnel & Training,
Ministry of Personnel,
Central Secretariat,
New Delhi.

... Respondents

CAPTAIN SANKARAN NAIK, J./CHAIRMAN --

Applicants 2,3 and 4, Lower Division Clerks, seek a direction to respondents to frame/finalise the scheme providing for time bound promotions to clerical staff in the Military Engineering Service in consonance with the scheme framed by the Department of Posts (Ministry of Communications), Government of India (A-15). The request of the three applicants and the case of those similarly situated deserve consideration, but such consideration must be at the hand of the Government. Applicants may make a detailed representation before respondent, Union of India through Secretary, Ministry of Defence, and the respondent shall consider the representation taking into consideration the totality of circumstances and pass appropriate orders within four months of the date of receipt of the representation. This is an area which cannot brook delay. Applicants will produce a copy of this order and a copy of the application before first respondent, who shall acknowledge the same and applicants shall thereafter lodge the acknowledgement with the Registry of this Tribunal. The acknowledgement will form part of the record.

2. Application is disposed of. No costs.

Dated, 6th November, 1996.