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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No. 831/97

Date of Order: 8.7.97

BETWEEN :

D. Samuel John .. Applicant.

AND

1. The General Manager,
S.C.Rly., Rail Nilayam,
Secunderabad.
2. The Divisional Railway Manager,
Hyderabad MG Division, S.C.Rly.,
Secunderabad.
3. The Sr.Divisional Personnel Officer,
Hyderabad MG Division, S.C.Rly.,
Secunderabad.
4. The Divisional Operating Supdt.,
Hyderabad MG Division, S.C.Rly.,
Secunderabad. .. Respondents.

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Counsel for the Applicant .. Mr. S. Lakshma Reddy

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

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CORAM:

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

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

— — —

JUDGEMENT

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

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Heard Mr. S. Lakshma Reddy, learned counsel for the applicant and Mr. V. Rajeswara Rao, learned standing counsel for the respondents.

2. The applicant is an Assistant Station Master in the grade of Rs.1600-2660. A show cause notice bearing No. YP/135/ETTII/Restructuring/SM.II, dt. 15.4.97 (A-1) has been issued to

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amend the office order dt. 8.8.95 and 10.11.95 to the extent of promotion under restructuring scheme and consequent seniority. The applicant apprehends that his seniority may be brought down thereby he will loose his chance of promotion to the higher grade. The applicant further submits that he had already submitted reply to the showcause notice dt. 15.4.97. In the meantime notification bearing No. YP/535/P.11/3/Selection dt. 19.5.97 (A-7) has been issued for selection to the post of Station Master in the grade of Rs.2000-3200 in Hyderabad Division. If the selection is finalised before disposal of his reply to the impugned showcause notice there is every possibility that he may not be considered for the selection to the post of Station Master in the grade of Rs.2000-3200.

3. This OA is filed to set aside the impugned ~~notification~~ ^{5. Show Cause Notice} dt. 15.4.97 and also other consequential proceedings.

4. When we asked the learned counsel for the applicant whether he will be satisfied if the fillingup the posts of SM in the scale of Rs.2000-3200 is kept pending till such time reply to the showcause notice is disposed of by the respondents, the learned counsel for the applicant replied in the affirmative.

5. Hence the OA is disposed of at the admission stage itself as follows:-

The selection to the post of SM Gr-II in the scale of Rs.2000-3200 in Hyderabad Division as per the notification No. YP/535/P.11/3/Selection, dt. 19.5.97 (A-7) should not precede the disposal of the case of the applicant in connection with the impugned showcause notice issued to him on 15.4.97 for which he had already applied.

6. No costs.

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

8/7/97

Dated: 8th July, 1997

(Dictated in Open Court)

(R.RANGARAJAN)
Member (Admn.)

Avulur
D-R (S)

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Copy to:

1. The General Manager, South Central Railway, Railnilayam, Secunderabad.
2. The Divisional Railway Manager, Hyderabad MG Division, South Central Railway, Secunderabad.
3. The Senior Divisional Personnel Officer, Hyderabad MG Division, South Central Railway, Secunderabad.
4. The Divisional Operating Supdt., Hyderabad MG Division, South Central Railway, Secunderabad.
5. One copy to Mr.S.Laxma Reddy, Advocate,CAT,Hyderabad.
6. One copy to Mr.V.Rajeswara Rao, Addl.CGSC,CAT,Hyderabad.
7. One copy to D.R(A),CAT,Hyderabad.
8. One duplicate copy.

YLKR

29/7/97

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TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

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

DATED: 8/7/97

ORDER/JUDGEMENT

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

D.A.NO. 831/97

Admitted and Interim Directions
Issued.

Allowed

Dismissed or with directions.

Dismissed

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order a la-carte

YLKR

II Court.

केन्द्रीय प्रशासनिक विधिकरण
Central Administrative Tribunal
DISPATCH

28 JUL 1997

हैदराबाद शाखा
HYDERABAD BENCH