

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD

OASR 634/97

O.A. NO. 851 /97

(14)

Between:

Dt. of Order: 9.7.97

1. Akthar Sultana
2. M. Bala Nageswari
3. Gundaboina Nagraj
4. B. Anand
5. G. Hanraj

Applicants:

And

1. The Controller of Defence Accounts,
Central Govt. Department,
No.1, Staff Road,
Secunderabad.
2. The District Employment Officer,
Hyderabad District, Employment Exchange,
(Technical), Chikkadapalli,
Hyderabad.

Respondents:

Counsel for the Applicants : Mr. K. Nageswara Reddy

Counsel for the Respondents : Mr. P. Naveen Rao

CORAM:

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

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

contd.

DA.80. 634/97.
C.A. - - - /97.

Dt. of Decision : 9-7-97.

ORDER

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

Heard Mr.K.Nageswara Reddy, learned counsel for the applicants and Mr.P.Naveen Rao, learned counsel for R-2. None for R-1.

2. There are 5 applicants in this OA. They are aspirants for the post of Auditor under R-1 organisation. The R-1 organisation has approached the District Employment Exchange, Hyderabad and R.R. District on 10-4-97 to sponsor the names of candidates with suitable qualifications as prescribed in that notice for filling up the above posts. It is stated that the names of the applicants ^a were not sponsored by R-2. Relying on the Supreme Court judgement reported in 1996 (6) SCALE 676 (The Excise Superintendent, Malkapatnam, Krishna District, A.P. Vs. K.B.N.Visveshara Rao & Others), the learned counsel for the applicants submit that they should also be considered even though their names are not sponsored by the employment exchange. We have issued interim order in similar cases earlier. Hence, the following interim order is issued:-

The application of the applicants should also be considered along with the employment exchange candidates even if their names are not sponsored by the employment exchange provided (i) they fulfil the conditions prescribed for the post, (ii) their applications are submitted atleast 7 days in advance of the start of the selection ^{test} i.e., written or viva-voce, or both. If the applicants fail in the selection the OA stands dismissed. The respondents should inform ^{within 14 days} the result if they fail in the examination ^{through their Counsel} so as to confirm the dismissal order. If the applicants are to be considered on the basis of the selection then their result should not be published until further orders in this OA.

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

RR
(R. RANGARAJAN)
MEMBER (ADMN.)

Dated : The 9th July, 1997.
(Dictated in the OpenCourt)

spr

DRG

74304

Copy to:

1. The Controller of Defence Accounts,
Central Govt. Department,
No:1, Staff Road, Secunderabad.
2. The District Employment Officer,
Hyderabad District Employment Exchange,
(Technical), Chikkadapalli,
Hyderabad.
3. One copy to Mr.K.Nageswara Reddy, Advocate@CAT, Hyderabad.
4. One copy to Mr.P.Naveen Rao, Addl.CGSC,CAT, Hyderabad.
5. One duplicate copy.
6. one copy to D.R.(A) ,CAT, Hyd.

YLR

20/7/97

C.C. today

HYDERABAD BENCH

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 PARAMISHWAR: M
(J)

DATED 9.7.97

ORDER/JUDGEMENT

M.A. / R.A. / C.A. NL

SR
O.A. NO. 634/97
C.A. 861/97

Admitted and Interim directions issued.

Allowed

Disposed of with directions.

Dismissed

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLKR

Central Administrative Tribunal
HYDERABAD BENCH

11 JUL 1997

Hyderabad Bench
HYDERABAD BENCH

COURT
NOT RECEIVED
from CMC

(18)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A. NO. 851/97

DATE OF ORDER : 24.8.98

BETWEEN :

Akthar Sultana
M. Bala Kameswari
Gundaboina Nagraj
B. Anand
G. Hansraj

... Applicant(s)

AND

1. The Controller of Defence Accounts
Central Government Department
No. 1, Staff Road,
Secunderabad 500 009.
2. The Government of Andhra Pradesh
represented by its District Employment
Officer, Hyderabad District Employment
Exchange (Technical)
Chikadpally
Hyderabad

... Respondents

Counsel for the Applicant - Shri K. Nageswara Reddy
Counsel for the Respondents - Shri V. Vinod Kumar
Counsel for the State of A.P. - Shri P. Naveen Rao

Coram :

The Hon'ble Justice Shri D.H. Nasir - Vice Chairman
The Hon'ble Shri H. Rajendra Prasad - Member (A)

(Order per Hon'ble Shri H. Rajendra Prasad, Member (A))

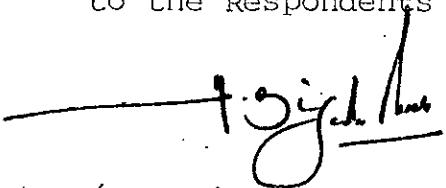
(19)

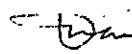
(Order per Hon'ble Shri H. Rajendra Prasad, Member (A))

Heard Ms/Shri K. Nageswara / ^{Reddy} for the Applicant(s),
Shri/Ms V. Vinod Kumar for the Respondents and Shri
P. Naveen Rao for the State of A.P.

The orders passed by this Tribunal today in O.A.
No. 987/96 shall be complied with in this O.A. as well.

A copy of the orders passed in O.A. No. 987/96
shall be kept on record of this file and also supplied
to the Respondents to facilitate further action.


(H. Rajendra Prasad)
Member (A)


(D.H. Nasir)
Vice Chairman

DICTATED IN OPEN COURT

DATED : 24.8.1998


Deputy Registrar
Anil
Supp

...js/-

851/97 & 885/97

To

1. The Controller of Defence Accounts,
Central Govt. Dept.
No.1 Staff Road, Secunderabad-9.
2. The Govt. of A.P.
rep. by its Dist. Employment Officer,
Hyderabad Dist Employment Exchange (Technical)
Chikkadpally, Hyderabad.
3. One copy to Mr. K. Nageswar Reddy, Advocate, CAT. Hyd.
4. One copy to Mr. V. ~~Reddy~~ ^{V. Venkateswar}, Addl. OGSC. CAT. Hyd.
5. One copy to Mr. P. Naveen Rao, Spl. Counsel for A.P. Govt. CAT. Hyd.
6. One copy to HHRP.M. (A) CAT. Hyd.
7. One copy to DR(A) CAT. Hyd.
8. One spare copy.

pvm

The following direction is issued:

If the applicant had been permitted to appear for the test/examination/interview held on 7-9-98, or on any subsequent date, in pursuance of the interim orders passed by this Tribunal on 3.9.1997, the results of the said examination shall be declared forthwith, and the merit-based selected candidate shall be appointed now. This is in keeping with the judgment of Hon'ble Supreme Court in Excise Supdt. Malakapatnam, Krishna Dist. A.P. Vs. K.D.N.Visweshwara Rao and others (1996)(6) SCALE 676, as well as Govt. of India, Dept. of Personnel and ~~Examining~~ Training O.M.No. 14024/2/96-Estt.(D) dated 18-5-1998.

Thus, the OA is disposed of finally. No costs.

Sd/-x x
Deputy Registrar.

CERTIFIED TO BE TRUE COPY

Anil
COURT OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD

26/9/98
TYPED BY
CHECKED BY

I COURT
COMPARED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

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

AND

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

DATED: 24-8-1998.

ORDER/JUDGMENT

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

in
O.A.No. 851/97
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.

pvm.

केन्द्रीय अधारसनिक अधिकार अधिकार
Central Administrative Tribunal
इंतजाम / DESPATCH

21 SEP 1998

हैदराबाद अधारसनिक
HYDERABAD BENCH