

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

\*\*\*\*\*

O.A.No.91/97Dt. of Decision : 29-01-97.

1. A.Shyam Kumar

2. C.Subramanyam

.. Applicants.

Vs

1. The Station Engineer,  
Television Maintenance Centre,  
T.V.Rely Station, Kurnool,  
Kurnool District.
2. The District Employment Exchange Officer,  
Kurnool, Kurnool District.
3. The District Employment Exchange Officer,  
Mahaboobnagar, Mahaboobnagar District... Respondents.

Counsel for the Applicants : Mr.J.Kanakaiah

Counsel for the Respondents : Mr.V.Vinod Kumar, Addl.CGSC.  
(Absent) for R-1.Mr.Ramesh Ranganath for  
Mr.I.V.R.K.Murthy for R-1 & R-2.CORAM:-

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

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



-2-

ORDER


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

Heard Mr.J.Kanakaiah, learned counsel for the applicants and Mr.Ramesh Ranganath, for R-2 and R-3.

2. The applicants submit that their names for the post of Technician under R-1 were not sponsored by the employment exchange. They state that they approached the authorities to accept their application but the respondent authorities refused to accept their application and insisted that it should be sponsored through the employment exchange. In view of the recent judgement of the Supreme Court reported in 1996 SCALE 676, they submit that they should also be considered for the post of Technician even if their names are not sponsored by the Employment Exchange. They have not filed any representation in this connection to the concerned authorities. Nor they have filed a copy of the applications with which they reported to have approached the concerned authorities.

3. Under the above circumstances, they have filed this application for entertaining their candidature for interviewing them for the post of Technician.

4. If the authorities refused to take their application and insisted that their name should be sponsored by the employment exchange, the proper course left to the applicants is to send their application through registered post with acknowledgement due to establish that they did apply irrespective of the fact that their names were not sponsored by the Employment Exchange. But they did not take that course of action. Having not applied for the post before the process of selection was started i.e., before start of the interview, they have no locus-standi to approach this Tribunal in entertaining their



candidature and interview them relying on the above referred case of the Apex Court.

5. In view of the above, we do not think fit to grant any relief to the applicants in this OA. Hence, the OA is dismissed at the admission stage itself. No costs.



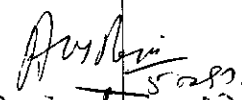
(R. RANGARAJAN)  
MEMBER (ADMN.)



(M.G. CHAUDHARI)  
VICE CHAIRMAN

Dated : The 29th January 1997.  
(Dictated in the Open Court)

spr

  
Deputy Registrar (D) CC.

-4-

O.A.91/97

To

1. The Station Engineer,  
Television Maintenance Centre,  
T.V.Rely Station, Kurnool,  
Kurnool Dist.
2. The Dist.Employment Exchange Officer,  
Kurnool, Kurnool Dist.
3. The Dist.Employment Exchange Officer,  
Mahaboobnagar, Mahaboobnagar Dist.
4. One copy to Mr.J.Kanakaiah, Advocate, CAT.Hyd.
5. One copy to Mr.V.Vinod Kumar, Addl.CGSC. CAT.Hyd.
6. One copy to Mr. <sup>Amesh Borge with</sup> ~~I.V.R.K.Murthy~~, Spl.Counsel for A.P.Govt.CAT.Hyd.
7. One copy to Library, CAT.Hyd.
8. One spare copy.

pvm

I COURT

TYPED BY

CHECKED BY

COMPARED 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. *R. Ranga Rao*  
~~H. RAJENDRA PRASAD~~  
MEMBER (ADMN)

Dated: 29-1-1997

ORDER / JUDGMENT

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

in

O.A. No.

T.A. No.

(W.P.)

Admitted and Interim Directions  
Issued.

Allowed.

Disposed of with directions

Dismissed.

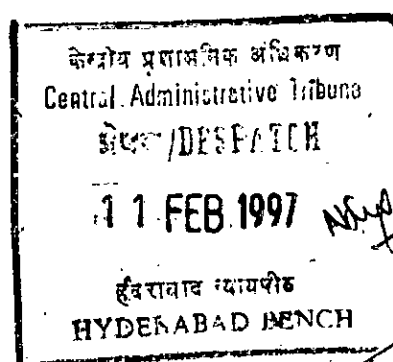
Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

pvm.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT HYDERABAD  
MEMORANDUM OF MISCELLANEOUS APPLICATION UNDER RULES 8

AND RULE 4(5) (c) ( OF THE CENTRAL ADMINISTRATIVE  
TRIBUNALS (PROCEDURE) RULES , 1987

M.A.No. /1996

in

O.A.No. 4068 /1996

Between:

1. S.Venkateswaralu and 2 others .. Applicants  
2. M. S. Katty. 3. P. Appalaratnam  
And

1. Engineer in Chief, Army Head Quarters ,  
Kashmiri House, New Delhi - 110 011
2. The Union of India, rep. by its Secretary  
To Government of India, Ministry of  
Defence, South Block, New Delhi - 110 011
3. Chief Engineer, Southern Command, Pune-411 001.
4. Director General, Naval Project Naval Base Post  
Visakhapatnam.

.. Respondents

The applicants in the accompanying application  
respectfully submit as follows:

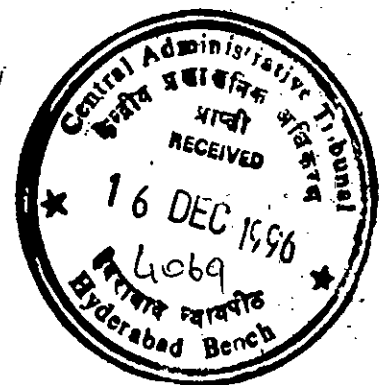
- 1) The applicants have challenged through the accompanying  
original application under Sec. 19 of the Act, the refusal  
to examine the representation of the applicants for removing  
anomalies in pay scales and securing reasonable career  
progression.
- 2) The facts and circumstances are the same in respect  
of all the applicants and the reliefs sought are also the  
same. The applicants have thus a common cause of action and  
have common interest in the matter in terms of Rule 4(5)  
of the Act. Therefore, it just and proper that the  
applicants are permitted to file a joint application.

IN THE CENTRAL ADMINISTRATIVE  
TRIBUNAL : AT HYDERABAD

M.A. /1996

in

O.A.No. /1996



M.A. Under Rule 4(5) (A)  
73 Read with 8

Filed by:  
Mr. V.V. Sarma.  
Counsel for the Applicants.

PRAYER

THEREFORE, the applicants humbly pray that the Hon'ble Tribunal may be pleased:

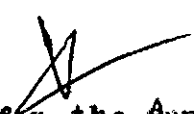
1) to permit the applicants joining together to file a joint application under the powers vested in the Hon'ble Tribunal in rule 4(5) (A) of the Central Administrative Tribunal (Procedure) rules.

2) to pass such other order as this Hon'ble Tribunal seems fit and ~~as~~ expedient in the facts and circumstances of the case.

"IN THE INTEREST OF JUSTICE AND EQUITY".

Verification

I, S.Venkateswarulu S/o . Late S.Venkata Ramayya, aged about 57 years, working as Office Superintendent Visakhapatnam, do hereby verify that the on behalf of my self and on behalf the other applicants, thus the contents of paras 1 to 2 are true to my personal knowledge and belief and that are believed to be true on legal advice and that I have not suppressed any material facts.

  
Counsel for the Applicants.

Signature of the Applicant.



दुपरी प्रति DUPLICATE

IN THE CENTRAL ADMINISTRATIVE

TRIBUNAL HYDERABAD: BENCH

M.A. 57 of 1996

IN

O.A. 4068 of 1996

PETITION FOR SEEKING PERMI-  
SSION TO ADDITIONAL APPLICA-  
TION IN A SINGLE APPLICATION

AND

Mr. V.V. Sarma  
COUNSEL FOR THE APPLICANTS

AND

Mr. \_\_\_\_\_  
Sr. ADDL. STANDING COUNSEL  
FOR C.G. RLYS.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT HYDERABAD  
MEMORANDUM OF MISCELLANEOUS APPLICATION UNDER RULES 8

AND RULE 4(5) (a) ( OF THE CENTRAL ADMINISTRATIVE  
TRIBUNALS (PROCEDURE) RULES , 1987

M.A.No. 57 /1994

in

O.A.No. 4068 /1996

Between:

1. S.Venkateswaralu and 2 others .. Applicants  
2. H. S. Katty. S. P. Appala Rao  
And

1. Engineer in Chief, Army Head Quarters ,  
Ksshmiri House, New Delhi - 110 011
2. The Union of India, rep. by its Secretary  
To Government of India, Ministry of  
Defence, South Block, New Delhi - 110 011
3. Chief Engineer, Southern Command, Pune-411 001.
4. Director General, Naval Project Naval Base Post  
Visakhapatnam.

.. Respondents

The applicants in the accompanying application  
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- 1) The applicants have challenged through the accompanying  
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- 2) The facts and circumstances are the same in respect  
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have common interest in the matter in terms of Rule 4(5)  
of the Act. Therefore, it just and proper that the  
applicants are permitted to file a joint application.

Reg - Seeking permission to file  
Single of application

Under Rule 4(5) (A)  
Jes subject with  
Orders the Court

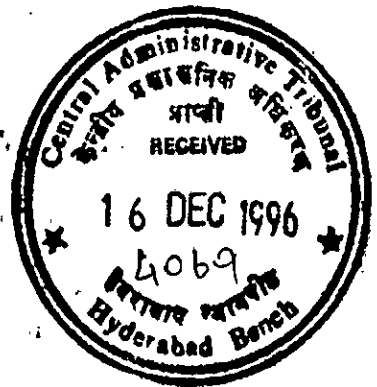
IN THE CENTRAL ADMINISTRATIVE  
TRIBUNAL AT HYDERABAD.

M.A.No. /1996

in

O.A.No. /1996.

Counsel for  
Applicant



M.A. Under Rule 4(5) (A)  
Read with 8

Recd  
16/12  
N.R. Dering  
dr

Filed by:  
Mr. V.V-Sarma  
Counsel for the applicants.

maybe filed  
22/11/97

Therefore, the applicants humbly pray that the Hon'ble Tribunal may be pleased:

- 1) to permit the applicants joining together to file a joint application under the powers vested in the Hon'ble Tribunal in rule 4(5)(a) of the Central Administrative Tribunal (procedure) rules.
- 2) to pass such other order as this Hon'ble Tribunal deems fit and expedient in the facts and circumstances of the case.

"IN THE INTEREST OF JUSTICE AND EQUITY "

VERIFICATION

I, S. Venkateswarulu S/o. Late S. Venkata Ramayya,

aged about 57 years, working as Office Superintendent

Visakhapatnam do hereby verify that on behalf of my self and on behalf the other applicants, thus the contents of paras 1 to 2 are true to my personal knowledge and belief and that are believed to be true on legal advice and that I have not suppressed any material facts.

Counsel for the Applicants.

Signature of the 1st Applicant

21/1/97

ORIGINAL

Heard Mr. V.V. Sarma,  
for the applicant and  
Mr. NR. Devraj, for the  
respondents.

MA is not opposed.

Under the circumstances  
referred to the MA is  
allowed. Register the

DA.

L  
HBSTP  
H(J)

✓  
HORN  
H(A)

बेंच केस/BENCH CASE

रत/DEFENCE

IN THE CENTRAL ADMINISTRATIVE  
TRIBUNAL HYDERABAD: BENCH

M.A. 51 of 1997

IN

O.A. 4068 of 1996

PETITION FOR SEEKING PERMI-  
SSION TO ADDITIONAL APPLICA-  
TION IN A SINGLE APPLICATION

AND

Mr. V.V. Sarma  
COUNSEL FOR THE APPLICANTS

AND

Mr. \_\_\_\_\_  
Sr. ADDL. STANDING COUNSEL  
FOR C.G. RLYS.