

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
 AT HYDERABAD

O.A.No.1005/97

Date of Order : 26.8.97

BETWEEN :

Ch.Yadagiri Reddy

.. Applicant.

AND

The Director General,
 Archaeological Survey of India,
 Govt. of India, Janpath Road,
 New Delhi - 110 011.

.. Respondent.

 Counsel for the Applicant

.. Mr.P.Naveen Rao

Counsel for the Respondents

.. Mr.K.Bhaskara Rao

CORAM:

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

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

O R D E R

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

Mr.Phani Raj for Mr.P.Naveen Rao, learned counsel for the applicant and Mr.K.Bhaskara Rao, learned standing counsel for the respondents.

2. This OA is filed for a declaration that the action of the respondents in not filling up the vacancies meant for Ex-servicemen is highly arbitrary, discriminatory, unconstitutional and for a consequential direction to the respondent to fill up the vacancies meant for Ex-servicemen and consider the claims of the applicant for granting of higher grade such as Senior Photographer or any other ^{equivalent} ~~equivalent~~ post with all consequential benefits.





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3. This OA came up for admission hearing on 14.8.97. On ~~that~~
~~year~~ day we have remarked as follows :-

"This OA is filed without any documents. The applicant's counsel could not show us the reservation for Ex-servicemen in the grade in which he wants to be posted. He produced some circular of the department wherein he says it is stated that 10% of the post is reserved for Ex-servicemen. Whether that 10% reservation is to be followed in the cadre in which he wants to be promoted is not at all shown. Further there is no recruitment rules to the category in which he wants to be posted has been produced. When we questioned about the records the learned counsel for the applicant submitted that his case may be disposed of directing the respondents to dispose of his representation. We feel such a request is not called for. First of all the applicant's counsel should satisfy the Bench that there is a case for consideration. They only any direction can be given. We are fully satisfied that the applicant has not made out any case in his application. Hence, we are not at all inclined to give any direction in this connection. In short the OA is liable only to be dismissed.

However the learned counsel for the applicant submitted that he will produce the necessary records on 18.8.97. In view of the above submission list it on 18.8.97. If no record to the satisfaction of the Bench is produced on Monday the case ^{will} ~~should~~ be dismissed on that day".

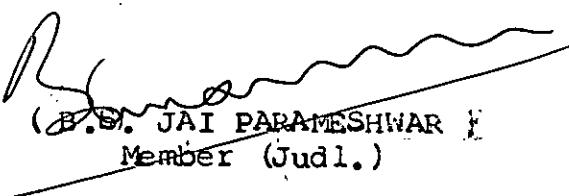
4. Today when the case was taken up for hearing there is no improvement in regard to the production of the records by the learned counsel for the applicant. He only insists that his representation may be disposed of. When we are not satisfied

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that there is a case for the applicant then the question of giving a direction to the respondents to dispose of the representation ^{does} did not arise.

5. In view of what is stated above, the OA is liable only to be dismissed. Accordingly it is dismissed. No costs.


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

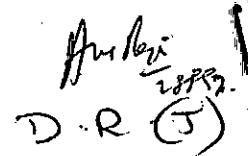
26 8/97


(R. RANGARAJAN)
Member (Admn.)

Dated: 26th August, 1997

(Dictated in Open Court)

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D.R. (J)

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Copy to:

1. The Director General, Archaeological Survey of India, Govt. of India, Janpath Road, New Delhi.
2. One copy to Mr.P.Naveen Rao, Advocate,CAT,Hyderabad.
3. One copy to Mr.K.Bhaskara Rao, Addl.CGSC,CAT,Hyderabad.
4. One copy to O.R(A),CAT,Hyderabad.
5. One duplicate copy.

YLKR.

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TYPED BY
COMPILED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

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

Dated: 26/8/97

ORDER/JUDGEMENT

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

in

C.A.NO.1005/97

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

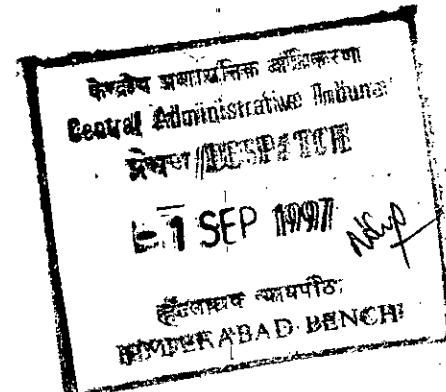
Dismissed for Default

Ordered/Rejected

No order as to costs.

YLR

II Court



X Gaurav Cops