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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

ORIGINAL APPLICATION NO. 1109/97

DATE OF ORDER : 02-09-1997.

Between :-

G.Yerri Swamy

.. Applicant

And

1. Sr.Divisional Personnel Officer,  
SC Rlys, Guntakal Division,  
Guntakal.
2. Divisional Railway Manager,  
Guntakal Jivision, Guntakal.
3. Union of India, rep. by  
General Manager,  
SC Rlys, Rail Nilayam,  
Secunderab<sup>ad</sup>.

.. Respondents

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Counsel for the Applicant : Shri S.Ramakrishna Rao

Counsel for the Respondents : Shri V.Bhimanna, CGSC

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CORAM:

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

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

(Order per Hon'ble Shri R.Rangarajan, Member (A) ).

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... 2.

(Order per Hon'ble Shri R.Rangarajan, Member (A) ).

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Heard Sri S.Ramakrishna Rao, counsel for the applicant and Sri V.Bhimanna, learned standing counsel for the respondents.

2. The applicant who is a scheduled tribe community candidate was appointed as Diesel Khalasi by order No.28/96 dt.25-3-96 (Annexure-I page-9 to the OA). He alleges that he was prevented from entering the Diesel Shed by the authorities concerned, but there is no evidence available to prove that, ~~case~~. In any case the applicant has submitted a representation in this connection addressed to Respondent No.1 dt.2-11-96 (Annexure-XI page-20 to the OA).

3. This O.A. is filed to declare the action of the 1st respondent in preventing the applicant from attending duties with effect from 18-9-96 without assigning any reasons as arbitrary, illegal, unwarranted and in violation of Articles 14 and 16 of the Constitution of India and for a consequential direction to respondents to allow the applicant to perform his duties forthwith who is appointed under ST Crash programme with all consequential benefits.

4. The only direction that can be given in the facts and circumstances of the case is to direct the respondents to dispose of the representation dt.2-11-96 of the applicant expeditiously and in any case within 45 days from the date of receipt of a

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...3.

copy of this order.

5. Thus the Original Application is ordered accordingly at the admission stage itself with no order as to costs.

*R.S.*  
\_\_\_\_\_  
(B.S.JAI PARAMESHWAR)  
Member (J)

2.9.97

*M.R.*  
\_\_\_\_\_  
(R.RANGARAJAN)  
Member (A)

av1/

Dated: 2nd September, 1997.  
Dictated in Open Court.

*Amala  
D.R. (J) T.G.P.*

## Copy to:

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

YLKR

23/9/97

TYPED BY  
COMPILED 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.G.JAI PARAMESHWAR:  
(M) (J)

Dated: 21/9/97

ORDER/JUDGEMENT

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

in

C.A.NO. 1109/97

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

II Court

