

FORM NO. 21

(Sec Rule 114)

THE
IN/CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH: HYDERABAD.

OA / ~~MA~~ ~~CP~~ ~~MA~~ ~~CP~~ 1303 of 199 7

..... 1. Er. Srinivas Applicant (S)

Versus

..... The Admin. Officer, State Officer
..... (Civilian) H.A. F.D.C. V. Patnam Respondent (S).
2 Amos.

INDEX SHEET

Serial No	Description of Documents and Dates.	Pages.
Docket Orders.		1
Interim orders		
Orders in MA (s)		
Reply Statement		
Rejoinder		
Orders in (Final orders)	<u>9-10-97</u> <u>2-12-97</u>	<u>9/813</u> <u>14/17</u>

Certified that the file is Complete
In all respects.

12/12/9
Signature of
Dealing Hand
(In Record Section)

Signature of S.O.

1 Administrative Tribunal Hyderabad Bench: Hyderabad.

O.A.No. 1303. of 1997.

G. Sainivay

Applicants(s).

V E R S U S.

In Administrative officer, staff officer, (civilian)

H. B., E.N.C., Visakhapatnam & another
(Respondents).

Date

Office Note

ORDER

1-10-97

OA admitted. Inclusion
order on separate sheet.
No costs.

Admit / Notice
Ar
7/10/97

cc today.

R
HBSJP
M(S)

1
HARN
M(A)

Issued
M
9/10/97.

1-12-97

List this case as 2nd case
immediately below admissions.

2-12-97.

HBSJP
M(S)

HHRP
M(A)

Heard Mr K. Suresh Kumar R
Mr. K. Nagarwan Reddy for the appli
Mr. V. Rajeswar Rao for the responde

JK
HBSJP
M(S)

ksm

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH

ORIGINAL APPLICATION NO. 1303 OF 1997.

J. Srinivas

(Applicants(sS))

VERSUS

~~Union of India, Respondent~~

Admin. Officer (Civilians) Staff Officer,

ENC, V. Lakshapatri & another

Respondents(sS(S))

The Application has been Submitted to the Tribunal by Shri K. Nageswara Rao

Advocate/~~by~~

~~in person~~ Under Section 19 of the Administrative Tribunal Act, 1985 and the same has been scrutinised with reference to the points mentioned in the check list in the light of the provisions in the administrative Tribunal (procedure) Rules 1987.

The application is in order and may be listed for Admission No. _____

Secretary (Asst.)
28/9/97

Arjun
DEPUTY REGISTRAR (JUDL).

10. Is the application accompanied IPO/DD, for Rs.50/-.
11. Have Legible copies of the annexure duly attested been filed.
12. Has the applicant exhausted all available remedies.
13. Has the Index of documents been filed and pagination done properly.
14. Has the declaration as a required by item No. 7 of form, I been made.
15. Have required number of envelopes (file six) bearing full addresses of the respondents been filed.
16. (a) Whether the relief sought form arise out of single cause of action.
(b) Whether any interim relief is prayed for.
17. In case an Ma for connonation of delay in filed, it supported b an affidavit of the a ilicant.
18. Whether t is cause ben heared by a single bench.
19. Any other points.
20. Result of the scrutiny with initial of the scrutiny clerk.

Scrutiny Assistant

Section Officer.

Deputy Registrar.

Registrar.

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD.

Dairy No. 340

Report in the Scrutiny of Application.

Presented by KN Reddy Date of presentation.

Applicant(s) G. Srinivas

29/9/92

Respondent(s) AD, SO (Civ), ENCL, VSKP & a/c.

Nature of grievance Recruitment

No. of Applicants 1 No. of Respondents 2

CLASSIFICATION.

Subject. Recruitment No. (15) Department Dejuna (No. 12)

1. Is the application in the proper form, (three complete sets in paper books form in the two completions) ✓
2. Whether name description and address of all the parties been furnished in the cause title. ✓
3. (a) Has the application been fully signed and verified. ✓
(b) Has the copies been duly signed. ✓
(c) Have sufficient number of copies of the application been filed. ✓
4. Whether all the necessary parties are impleaded. ✓
5. Whether English translation of documents in a Language, other than English or Hindi been filed. —
6. Is the application on time, (see section 21) ✓
7. Has the Vakalatnama/Memo of appearance/Authorisation been filed. ✓
8. Is the application maintainability. (U/S 2, 14, 18, or U/R. 8 Etc.,) ✓
9. Is the application accompanied, duly attested legible copy been filed. ✓

CENTRAL ADJUDICATIVE TRIBUNAL HYDERABAD Bench: HYDERABAD

I N D E X

O.A.NO. 1303 of 1997.

CAUSE TITLE G. Srinivas

V E R S U S

The A.O, E N C, Visakhapatnam & another

SL.NO.	Description of documents	Page No.
1.	Original application	1 to 4
2.	Material Papers	5
3.	Vakalat	1
4.	Objection sheet	—
5.	Spere Copies 2 (Two),	
6.	Covers 2 A	

Reg:- To direct the Respondents to allow the applicant to appear to written test and interview for the post of ASK, without insisting that his name should be sponsored by R2.

APPLICATION FILED U/s 19 OF THE ADMINISTRATIVE TRIBUNAL

ACT 1985

O.A.No. 1303 of 1997

Bench

Between:

G.Srinivas

(15) Recruitment

.... Applicant

a n d

The Administrative Officer,
Staff Officer (Civilians)
Head Quarters Eastern Naval Command,
Naval Base, Visakapatnam
& another

Defence

Defence

Navy

... Respondents

INDEX

S.No.	Description of the documents	Page Nos.
1.	Application	1 to 6
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Date: 29-9-1997

G. Sreenivas

Registration No:

Signature of the applicant

[Signature]

Counsel for the applicant



head copy
for P. Narayan
for counsel for respondents
29/9/97

Recd 29/9
WNR Benji

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL AT HYDERABAD

O.A.No. 1303 of 1997

Between;

G.Srinivas

.... Applicant

a n d

The Administrative Officer,
Staff Officer (Civilians)
Head Quarters Eastern Naval Command
Naval Base, Visakapatnam
& another

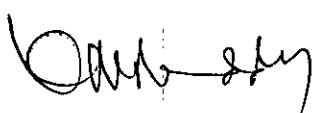
.... Respondents

Chronological statement of events

S.No.	Date	Statement of events	Page No.
1.	31-7-1997	Notification of the 1st respondent	1
2.	August, 97	List sent to the 1st respondent from the 2nd respondent exchange	2 1
3.		1996 (6) Scale page 676	3

Hyderabad,

Date: 29-9-1997


Counsel for the applicant

(4)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL AT HYDERABAD

(O.A. filed U/s 19 of the Administrative Tribunal Act 1985)

O.A.No. 1303 of 1997

Between:

G.Srinivas
S/o Sri G.Chinnabbai
Aged about 23 years,
D.No.4-69, Naiduthota
Vepagunta Post,
Visakapatnam-520 029

.... Applicant

a n d

1. The Administrative Officer,
Staff Officer (Civilians)
Head Quarters Eastern Naval Command
Naval Base,
Visakapatnam-530 014

2. The District Employment Officer,
Visakapatnam District Employment Exchange
(clerical)
Visakapatnam

.... Respondents

Details of the Application (O.A.):

1. Particulars of the Applicant:

As shown in the cause title above.

Address for service of notices: Mr.K.Nageswara Reddy,
Advocate
H.No.10-3-307/5,
Humayun Nagar,
Hyderabad-500 028

2. Details of the Respondents:

As shown in the cause title above.

3. Particulars of the order against which application is made:

Seeking a direction to the respondents to allow the applicant to interview for the posts of Assistant Store Keepers without insisting that ~~that~~ his name should be sponsored by the Employment Exchange. The 1st respondent sent notification to the 2nd respondent on 31-7-1997 and the 2nd respondent sent sponsored list to the 1st respondent in the month of August 1997. The respondents are supplied notification and also not published in the news papers.

4. Jurisdiction of the Central Administrative Tribunal:

Applicant declares that the subject matter of the present O.A. is within the jurisdiction of this Tribunal as the 1st respondent is Central Government Department and comes under Section 14 of the Administrative Tribunal Act and the said posts to be filled in Andhra Pradesh. Seeking a direction for interview and appointment comes under recruitment. So this Hon'ble Tribunal has got jurisdiction.

5. Limitation:

Applicant declares that the application (O.A.) is within the limitation as prescribed in Section 21 of the Administrative Tribunal Act 1985 and there is no impugned order and the 1st respondent has not yet conducted interviews but sponsored list with names sent to the 1st respondent office from the 2nd respondent office.

6. FACTS OF THE CASE:

(A) Applicant submits that he passed S.S.C, P.U.C., B.Com and I.T.I. Fitter trade. He registered his name in the 2nd respondent office on 21-9-1996 with registration No.V1/1996/16976. I belong to SC caste. I got experience in a workshop for more than 2 years.

(B) The 1st respondent notified the total 13 vacancies of Assistant Store Keeper posts and 9 vacancies for SCs among the 13 vacancies to the 2nd respondent on 31-7-97 to sponsor the names of the candidates who passed Matriculation or S.S.C. or equivalent with a view to fill up these posts from the candidates sponsored by Employment exchange without giving advertisement and not called for applications from all the eligible candidates, which is illegal as per the Supreme Court judgement. The 1st respondent received the sponsored list with candidates names from the 2nd respondent long time

back in the August month, 97 itself and the 1st respondent may conduct test and interviews at any time within 15 days but the respondents are not disclosing the interview date to the public and keep it secret. 2nd respondent has not sponsored his name as not having seniority of registration. Applicant requested the 1st respondent to receive his application and to allow him to interview, but the 1st respondent is insisting that his name should be sponsored by the employment exchange to receive application and to allow him to interview and to consider to appointment. Hence this O.A. Actually as per the judgement of the Hon'ble Supreme Court, even registration in the employment exchange is not necessary and any one who is eligible and qualified can apply but here the 1st respondent has not given paper notification.

(C) The respondents without following the Supreme Court judgement, which was reported in 1996 (6) Scale 676, the Excise Superintendent, Malkapatnam, Krishna district A.P. Vs K.B.N. Visweshara Rao & others is trying to recruit the above said posts with the candidates sponsored by the employment exchange alone without giving any advertisement to call for applications from all the eligible candidates. The Hon'ble Tribunal and High Court of A.P. was pleased to dispose of several O.A.'s and W.P.s in similar matter with a direction to allow them to written test and interview. The respondent may conduct interviews at any time within 15 days and kept the interview date secrete.

7. Details of the Remedies Exhausted:

The applicant has no other alternative remedy except to approach this Hon'ble Tribunal for the relief sought for.

8. Matters not previously filed or pending with any court:

Applicant declares that he has not previously filed any petition for the same relief before any court of law.

9. Reliefs sought:

In view of the facts mentioned in paragraph 6 of the above O.A. the applicant prays that this Hon'ble Tribunal may be pleased to direct the respondents to allow the applicant to appear to written test and interview for the posts of Assistant Storekeepers without insisting that his name should be sponsored by the employment exchange as per the notification dated 31-7-1997 and pass such other order or orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

10. INTERIM RELIEF:

Pending disposal of the above O.A. the applicant prays that this Hon'ble Tribunal may be pleased to direct the respondents to allow the applicant to appear to written test and interview for the posts of Assistant Store Keepers without insisting that his name should be sponsored by the employment exchange as per the notification dated 31-7-1997 and pass such other order or orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

11. Material index enclosed.

12. Name of the Post Office/Bank in which

P.O. DD/PO:

No of DD/PO:

Date of Issue

22/9/98
Hlaorthelad
24/9/98

1/18.50/-A

13. List of documents enclosed.

~~P.O. DD/PO/Removed~~

(a) Material papers (b) DD/Po (c) Covers

VERIFICATION:

I, G.Srinivas S/o G.Chinnabbai do hereby verify that the contents of the above paras are true to ^{my} ~~our~~ personal knowledge and legal advise of ^{my} ~~our~~ counsel and I have not suppressed any material facts herein.

Counsel for the applicant

G. Srinivas
Signature of the applicant

~~28~~ Date: 29-9-1997

To

The Registrar,
Central Administrative Tribunal
Hyderabad

A1

6



ఆంధ్రప్రదేశ్ ప్రభుత్వ ఉపాధి మరియు శిక్షణ శాఖ
ఉపాధి కార్యాలయము : VIDYANATHAN (TECHNICAL)

arundhati from apts

X-C10

RENEWAL SLIP

RT:01		REGN. NO: U2/1773/05205	REGN. DT. 1973/04/02	LAST APP. DT. 1995/04/09	DT. OF EXPIRY APR 1997
NAME G SRINIVAS ID MARKS: HALL ON THE LT SIDE OF GUEST F/H NAME CHINNABDAI ADDRESS: 49, NALDUTHOTA VEPAGURTA POST PONDURTHI MDL, VIZAG DT 530029 NCC DATE OF SENIORITY X0110 04210 1973/04/02 1973/04/02		SEX MALE PRT : MARITAL UN-MARRIED CASTE SC : DOB 1974/08/24 RELIGION HINDU PH :		Exm: SBI SB2 SB3 SB4 SB5 AGR % CL YOP MOI STR 10 P 1989 TEL 20 130 T 1972 ENG	
Dt. & Mdl of Res: U10 Zone Pl. of Res U/R RURAL Res. Mopl : Hl. in CM 165 E. Status UN-EMPLOYED IC Marriage No: O.B.C. No: Ex-Serv. Rank 0 : Character : Servo (Mths) : Force :		Ex-Cen No : Mobility ANYWHERE IN INDIA RBL No : Land Oustee : Repat. Ctry : Drv. Lic. Iss. Dt : Drv. Lic. Exp. Dt. : Languages known : TEL 5 ENG 2 HIN 2 Ex - ITI : No FT Appr : No		NCO NAC Work Experience (In Mths) Estab-wise 1 2 3 4 5 6 7 8 9 Candt. Willingness Self-Employed No Apprentice-ship No (తెలిసి చూడవలెను)	

KVR 2/11/17

(a)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.1303/97

DATE OF ORDER : 01-10-1997.

Between :-

G.Srinivas

... Applicant

And

1. The Administrative Officer,
Staff Officer (Civilians),
Head Quarters Eastern Naval Command,
Naval Base,
Visakhapatnam-530 014.
2. The District Employment Officer,
Visakhapatnam District Employment
Exchange (Clerical),
Visakhapatnam.

... Respondents

-- -- --

Counsel for the Applicant : Shri K.Nageswara Reddy

Counsel for the Respondents : Shri V.Rajeshwara Rao for R-1
Shri P.Naveen Rao for R-2.

-- -- --

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)).

-- -- --

B

D

... 2.

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

-- -- --

Heard Sri Nageshwar Reddy, counsel for the applicant and Sri V.Rajeshwar Rao, standing counsel for Respondent No.1 and Sri Phani Raj for Shri P.Naveen Rao, counsel for Respondent No.2.

2. Admit. The applicant in this OA is an aspirant to the post of Asst. Storekeeper under Respondent No.1. Respondent No.1 has issued notification to Respondent No.2 for sponsorship of the candidate from the Employment Exchange. It is stated that the name of the applicant was not sponsored by Respondent No.2. Relying on the judgement of the Supreme Court reported in 1996 (6) SCALE 676 (Excise Superintendent, Malkapatnam, Krishna District, AP Vs. KBN Visweshwara Rao & others), the learned counsel for the applicant considered for submits that the applicant should be appointment against that post.

3. We have disposed of similar cases earlier. In view of that, the following direction is given :-

If the applicant submits his application clear 7 days earlier to the date of selection either written or viva-voice or both, then the case of the applicant should also be considered along with the candidates sponsored by the employment exchange provided he fulfills all the conditions laid down for appointment to that post. If the applicant fails in the selection, the OA stands dismissed. In that case the respondents should inform the Tribunal through their standing counsel so as to confirm the dismissal order of the O.A. If the applicant is successful and

comes within the number to be appointed,
then his results should be published
until further orders in this CA.

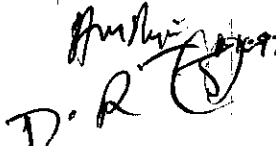

(B.S. JAI PARAMESHWAR)
Member (J)

(1.7.97)


(R. RANGARAJAN)
Member (A)

Dated: 1st October, 1997.
Dictated in Open Court.

avl/


D. R. (D. R. Rangarajan)

Copy to.

1. The Assistant Personnel Officer, Nuclear Fuel Complex, Department of atomic Energy, ECIL Post, Hyderabad-62, R?R.Dist.
2. The District employment officer, Visakhapatnam District Employment Exchange (Clerical) Vishakhapatnam.
3. One copy to Mr. K. Nageswara Reddy, advocate Cat Hys.
4. One Copy to Mr. V. Nageshwara Rao , Addl CGSC. CAT. Hyd.
5. One Copy to Mr. Phaveen Rao , SC. for AP.GOVt.. CAT.Hyd.
- 6 . One Copy to The D.R(A).
7. One Duplicate Copy.

Unr.

CC *Today*
A. Prashant
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: 1-10-97

[Signature]
ORDER/JUDGMENT

M.A./B.A./C.A. NO.

in

O.A. NO.

1303/97

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

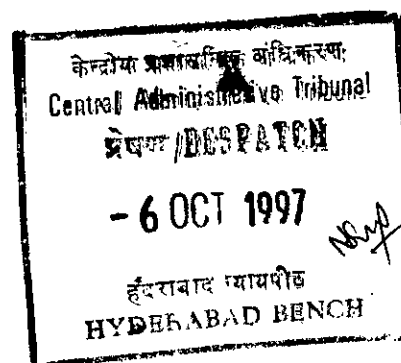
Dismissed for Default

Ordered/Rejected

No order as to costs.

YLKR

II Court



(14)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

M.A. No. 1125 of 1997
O.A. No. 1303 of 1997

Date of Decision:
2nd December, 1997

Between:

G. Srinivas

.. Applicant

AND

1. The Administrative Officer,
Staff Officer (Civilians)
Head Quarters Eastern Naval Command
Naval Base,
Visakhapatnam-530 014

2. The District Employment Officer,
Visakhapatnam District Employment Exchange,
(clerical)
Visakhapatnam

.. Respondents

Counsel for the Applicant: Mr. K. Nageswara Reddy

Counsel for the Respondents: Mr. V. Rajeswar Rao

Mr. P. Nageswara Rao

CORAM:

THE HON'BLE SRI H. RAJENDRA PRASAD: MEMBER (ADMN.)

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

ORDER

(Per Hon'ble Sri H. Rajendra Prasad: Member (Admn.))

Heard Mr. K. Sudhakar Reddy for Mr. K. Nageswara Reddy
for the applicant and Mr. V. Rajeswar Rao for the Respondents.

The applicant was an aspirant for the post of Assistant
Store-keeper under Respondent-1. The recruitment for the said
post as per Rules was to be limited to only such candidates whose
names had been sponsored by the Employment Exchange. The appli-
cant's name was, however not so sponsored. Relying on Hon'ble
Supreme Court decision in "Excise Superintendent, Malkapatnam
Vs. K.B.N. Visweshwara Rao & others reported in 1996 (6) SCALE 676 "
an interim direction was given as under:-

" If the applicant submits his application clear 7 days earlier to the date of selection either written or viva-vocie or both, then the case of the applicant should also be considered along with the candidates sponsored by the employment exchange provided he fulfills all the conditions laid down for appointment to that post. If the applicant fails in the selection, the OA stands dismissed. In that case the respondents should inform the Tribunal through their standing counsel so as to confirm the dismissal order of the O.A. If the applicant is successful and comes within the number to be appointed, then his results should not be published until further orders in this O.A. "

The applicant in this M.A. requests that permission may now be accorded to the Respondents to announce the results of the interview conducted on 31.7.1997. Considering all facts, it is decided to accept the request of the applicant. The Respondents may announce the results of the applicant and take such further action as may be called for in terms of para-4(a) of the order Dt.3.10.1997. There is no other legal issue to be decided in this case. It is, incidentally, noticed that whereas this Tribunal had directed the Respondents not to publish the results of the applicant alone until the disposal of this OA, the Respondents have chosen not to announce the results of any of the candidates. This was not the intention nor ^{was such} action warranted.

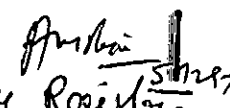
The M.A. as well as the O.A. are thus disposed of.


(B.S. JAI PARAMESHWAR)
MEMBER (JUDL.)
2/12/97


(H. RAJENDRA PRASAD)
MEMBER (ADMN.)

Dt. 2nd December, 1997
Dictated in the open court.

KSM


Deputy Registrar

-3-

1303/97.

- . The Administrative Officer,
Staff Officer (Civilians)
Head Quarters Eastern Naval Command,
Naval Base, Visakhapatnam-14.
2. The District Employment Officer,
Visakhapatnam Dist. Employment Exchange
(Clerical), Visakhapatnam.
3. One copy to Mr. K. Nageswara Reddy, Advocate, CAT. Hyd.
4. One copy to Mr. V. Rajeswar Rao, Addl. CGSC. 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 D. R. (A) CAT. Hyd.
8. One spare copy.

pvm.

11/12/97

(8)

I Court.

TYPED BY:

CHECKED BY:

COMPARED BY:

APPROVED BY:

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE.
VICE-CHAIRMAN

And

THE HON'BLE MR. H. RAJENDRA PRASAD :M(A)
The Hon'ble Mr. B.S. Jaiparameswar :M (D)

DATED:- 21/12/97

ORDER/JUDGMENT.

~~M.A./P.A./C.A. No. 1125/97~~

O.A.No. 1303/97 & MA 1125/97.

T.A.No. (W.P.)

Admitted and Interim directions issued.

Allowed

Disposed of with Directions.

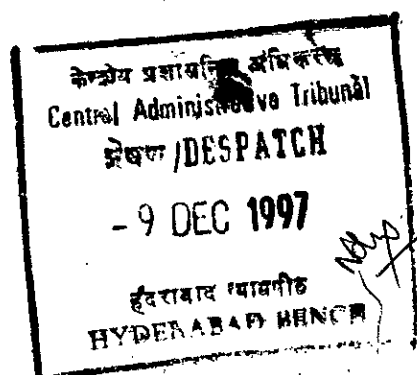
Dismissed.

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected

No.order as to costs.



" If the applicant submits his application clear 7 days earlier to the date of selection either written or viva-vocie or both, then the case of the applicant should also be considered along with the candidates sponsored by the employment exchange provided he fulfills all the conditions laid down for appointment to that post. If the applicant fails in the selection, the OA stands dismissed. In that case the respondents should inform the Tribunal through their standing counsel so as to confirm the dismissal order of the O.A. If the applicant is successful and comes within the number to be appointed, then his results should not be published until further orders in this O.A. "

The applicant in this M.A. requests that permission may now be accorded to the Respondents to announce the results of the interview conducted on 31.7.1997. Considering all facts, it is decided to accept the request of the applicant. The Respondents may announce the results of the applicant and take such further action as may be called for in terms of para-4(a) of the order Dt.3.10.1997. There is no other legal issue to be decided in this case. It is also noticed that whereas this Tribunal had directed the Respondents not to publish the results of the applicant alone until the disposal of this OA, the Respondents have chosen not to announce the results of any of the candidates. This was not the intention nor action warranted.

The M.A. as well as the O.A. are thus disposed of.

प्रमाणित प्रतिलिपि
कोर्ट ऑफिसर
CENTRAL ADMINISTRATIVE TRIBUNAL
HYDRABAD BENCH

5/12/97.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

M.A. No. 1125 of 1997
O.A. No. 1303 of 1997

Date of Decision:
2nd December, 1997

Between:

G. Srinivas

.. Applicant

AND

1. The Administrative Officer,
Staff Officer (Civilians)
Head Quarters Eastern Naval Command
Naval Base,
Visakhapatnam-530 014

2. The District Employment Officer,
Visakhapatnam District Employment Exchange,
(clerical)
Visakhapatnam

.. Respondents

Counsel for the Applicant: Mr. K. Nageswara Reddy

Counsel for the Respondents: Mr. V. Rajeswar Rao

m. P. Nageswar Rao

CORAM:

THE HON'BLE SRI H. RAJENDRA PRASAD: MEMBER (ADMN.)

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

ORDER

(Per Hon'ble Sri H. Rajendra Prasad: Member (Admn.)

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names had been sponsored by the Employment Exchange. The appli-
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Supreme Court decision in "Excise Superintendent, Malkapatnam
Vs. K.B.N. Visweshwara Rao & others reported in 1996 (6) SCALE 676
an interim direction was given as under:-

G. Srinivas


" If the applicant submits his application clear 7 days earlier to the date of selection either written or viva-vocie or both, then the case of the applicant should also be considered along with the candidates sponsored by the employment exchange provided he fulfills all the conditions laid down for appointment to that post. If the applicant fails in the selection, the OA stands dismissed. In that case the respondents should inform the Tribunal through their standing counsel so as to confirm the dismissal order of the O.A. If the applicant is successful and comes within the number to be appointed, then his results should not be published until further orders in this O.A. "

The applicant in this M.A. requests that permission may now be accorded to the Respondents to announce the results of the interview conducted on 31.7.1997. Considering all facts, it is decided to accept the request of the applicant. The Respondents may announce the results of the applicant and take such further action as may be called for in terms of para-4(a) of the order Dt.3.10.1997. There is no other legal issue to be decided in this case. It is, incidentally, noticed that whereas this Tribunal had directed the Respondents not to publish the results of the applicant alone until the disposal of this OA, the Respondents have chosen not to announce the results of any of the candidates. This was not the intention nor ^{was such} action warranted.

The M.A. as well as the O.A. are thus disposed of.

प्रमाणित प्रतः
 REPRODUCED FOR THE TRIBUNAL COPY
 न्यायालय अधिकारी
 COURT OFFICER
 केन्द्रीय प्रशासनिक अधिकरण
 Central Administrative Tribunal
 हैदराबाद न्यायालय
 HYDERABAD BENCH

5112pt.

केस संख्या	CASE NUMBER	1303/97
नियंत्रण का तरीका	Date of Judgement	2-12-97
प्रति तैयार किया गया दिनांक	Copy Made Ready on	5-12-97
 अनुमोदित अधिकारी (न्य विक्) Section Officer (J)		

CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH: HYDERABAD

MA NO: OF 1997

IN

OA NO: 1303 OF 1997

PETITION FILED UNDER RULE
8(3) OF CAT (P) RULES 1987

DIRECTION PETITION

FILED BY:

K. SUDHAKAR REDDY
COUNSEL FOR THE APPLICANT

CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH:HYDERABAD

MA NO: 1125 OF 1997

IN

OA NO: 1303 OF 1997

BETWEEN:

G. Srinivas

..... APPLICANT/APPLICANT

AND

1. The Administrative Officer
Staff Officer(Civilians)
Head Quarters Eastern Naval Command
Naval Base, Visakhapatnam-530 014

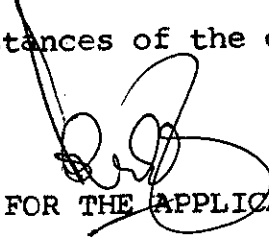
2. The District Employment Officer
Visakhapatnam District Employment
Exchange(Clerical), Visakhapatnam

..... RESPONDENTS/
RESPONDENTS

PETITION FILED UNDER RULE 8(3) OF CAT (P) RULES 1987

FOR the reasons stated in the accompanying affidavit it is prayed that the Hon'ble Tribunal may be pleased to dispose of the OA by directing the 1st Respondent to declare the results of the applicant for the post of Assistant Store-keeper and consequently appoint the applicant, if he is selected and pass such other orders as deemed fit and just in the circumstances of the case.

Hyderabad,


COUNSEL FOR THE APPLICANT

Dt: 19-11-1997

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH

AT HYDERABAD

M.A. No. 1125 OF 1997

IN

O.A. No. 1303 OF 1997

Between:

G. Srinivas

..

Applicant/Applicant

A N D

The Administrative Officer
Staff Officer (Civilians)
Headquarters Eastern Naval Command
Naval Base
Visakhapatnam - 530 014 and
another ..

Respondent/Respondents

A F F I D A V I T

I, G Srinivas, aged about 23 years, S/o. Shri G Chinnabbai Resident of D.No.4-69, Naiduthota, Vepagunta Post, Visakhapatnam - 530 029 do hereby affirm and state as follows:

2. I am the deponent therein and as such I know the facts deposed hereunder.

3. It is respectfully submitted that I have passed S.S.C., P.U.C., B.Com., and I.T.I. Fitter Trade examinations and I have registered my name with Employment Exchange on 21-09-1996 vide Registered No.VI/1996/16976. The First Respondent has sent a requisition to the Second Respondent to sponsor candidates for the post of Asst. Store-keepers which are reserved exclusively for Scheduled Caste. Since I (the applicant) belongs to Scheduled Caste community and satisfy all the eligibility conditions for the post, I have applied for the same to the First Respondent to consider my

Attestor

Deponent

case alongwith candidates sponsored by the Employment Exchange. When the first respondent did not consider my request, I have approached this Hon'ble Tribunal seeking a direction to interview me alongwith other candidtes as per Apex Court Judgement reported in 1996 (6) SCALE 676 (Excise Superintendent, Malkapatnam, Krishna District, Andhra Pradesh Vs. Shri KBN Visweswara Rao and others.


4. It is respectfully submitted that this Hon'ble Tribunal while admitting the case on 01-10-97 passed an interim order directing to consider my case (Applicant) alongwith others, but however, directed not to publish the result, if the candidate is selected.

5. It is respectfully submitted that written/ interviews for the above posts were conducted on 17-10-97 and 18-10-97 by the First Respondent. The process of selection is over, but the First Respondent did not declare the results so far on the ground that the O.A. is pending.

6. It is respectfully submitted that some of the candidates have approached the AP High Court, Hyderabad also for the above post of Asst. Store-keeper by filing W.P.No. 20662 of 97 between Shri Y Mohana Rao and others. The AP High Court was pleased to dispose of the W.P. by order dated 30-08-97 by directing the first respondent to consider the cases of the petitioners therein also alongwith others.

In view of the above circumstances, the Hon'ble Tribunal may pleased to dispose of the OA by


Attestor


Deponent

:: 3 ::

directing the First Respondent to declare the results of the applicant for the post of Asst. Store-keeper and consequently appoint the applicant, if he is selected and pass such other orders as deemed fit and just in the circumstances of the case.

T. G. Srinivas
Deponent

Solemnly affirm and state before
me on this *19th* day of Nov 97 at
Hyderabad.

[Signature]
ADVOCATE/HYDERABAD

10-08-97

SATURDAY THE THIRTIETH DAY OF AUGUST
ONE THOUSAND NINE HUNDRED AND NINETY SEVEN.

PRESENT

THE HONOURABLE MR. JUSTICE: B. SUDERSHAN REDDY

WRIT PETITION NO. 20662 OF 1997.

Between:-

1. Yanadi Mohana Rao.
2. Yanadi Tarakeswara Rao
3. M. Srinivasa Rao
4. Kadithi Ramu,

Petitioners

and

The Administrative Officer,
Staff Officer (Civilliance)
Navasana Base, Naval Base,
(Ministry of Defence-Navy Wing)
Visakhapatnam.

Respondent

Petition under Article 226 of the ~~Constitution~~ Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent in not allowing the petitioners to test and interview for the posts of Assistant Store Keeper and to fill up these posts through Employment Exchange alone as illegal arbitrary and consequently direct the respondent to issue call letters to interview and to allow the petitioners to appear to test and interview for the posts of Assistant Store Keepers without insisting that the petitioner names should be ~~sponsored~~ sponsored by ~~Emt~~ Employment Exchange,

For the Petitioners: Mr. K. Nageswara Reddy, Advocate.

For the Respondent: Mr. B. Adinarayana Rao, S.C. for Central-Government.

The Court at the admission stage-
made the following:- Order:-

In view of the authoritative pronouncement of the Apex Court in EXCISE SUPDT. MALKAPATNAM vs. K.B.N, VISWESWARA RAO (1), 1996 (6) SCALE 676 the respondent/ is bound to consider the cases of the petitioner/s for selection and appointment along with the other candidates sponsored by the Employment Exchange provided the petitioner/s fulfil the eligibility criteria and qualifications prescribed for the said posts.

In such view of the matter, the respondent/ is/ directed to interview the petitioner/s in the interviews to be held on 3-9-97 or any subsequent date thereafter and consider the case of the petitioner/s for selection and appointment along with the other candidates sponsored by the Employment Exchange.

The Writ Petition is accordingly disposed of.
No costs.

// TRUE COPY //

Sd/- S.S.R.N. SARMA.
ASST. REGISTRAR.

SECTION OFFICER.

To
1. The Administrative Officer, Staff Officer (Civilliance)
Navasana Base, Naval Base, (Ministry of Defence-Navy Wing)

Visakhapatnam. Advocate. (O.P.U.C.).

Visakhapatnam.
2. 2 C.D. Copies.
3. 1 CC to Mr. K. Nageswara Reddy

930/94
11/9
21 2/219

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD

M.A.NO.

OF 1997

in

OA.No. 1303 of 1997



PETITION FILED U/R 8(3) of

CAT()PRules'87

Filed on : 19.11.97

Filed by

K.Sudkara Reddy, Advocate

CAT/Hyderabad

may be filed
26/11/97

MA. 1125 of 1997 in
O 1303 of 1997

28-11-97

List on margin.

Jr
HBSJP

M(J)

Q
HHRP

M(A)

8/12

1-12-97

List this case as 2nd case
immediately below admissions.

Jr
HBSJP
M(J)

Q
HHRP
M(A)

SM

2-12-97

~~Substantive~~

The M.A. is disposed of
as per order on separate sheet.

Jr
HBSJP
M(J)

Q
HHRP
M(A)

SM

NOTICE

NOTICE

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD.

M.A. NO. 1125 OF 1997.

IN

O.A. No. 1303 OF 1997

Discretion Petition

Mr. K. Sudhakar Reddy
COUNSEL FOR THE APPLICANTS.

AND

Mr. V. Rajeswara Rao
Sr. ADDL. STANDING COUNSEL FOR
C.G. Rlys.