

24

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No. 1398/97

Date of Order : 24.10.97

BETWEEN :

B.Ravi Kishore

.. Applicant.

AND

1. Union of India, rep. by
The Chief Executive Officer,
Nuclear Complex, Dept. of
Atomic Energy, Govt. of India,
ECIL Post, Hyderabad.
2. The Chief Administrative Officer,
Nuclear Fuel Complex, Dept. of
Atomic Energy, Govt. of India,
ECIL Post, Hyderabad.
3. Regional Employment Officer, R.R.Dist, .. Respondents.
Hyderabad.

Counsel for the Applicant

.. Mr.Y.Appala Raju

Counsel for the Respondents

.. Mr.N.R.Devraj for R-1

Mr.P.Naveen Rao for R-2

CORAM:

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

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

ORDER

X As per Hon'ble Shri R.Rangarajan, Member (Admn.) X

Mr.Y.Appala Raju, learned counsel for the applicant

Mr.N.R.Devraj, learned standing counsel for R-2 and Mr.Phani Raj
for Mr.P.Naveen Rao, for R-2.

2. Admit. The applicant is an aspirant for the post of
Senior Operator Trainee in the respondents organisation. It
is stated that a requisition has been placed on the Employment
Exchange for sponsoring candidates. The name of the applicant

JAI

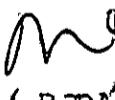
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not sponsored by the employment exchange. Hence relying on the judgement of the Supreme Court reported in 1997 (1) SLJ 3 (The Excise Superintendent, Malkapatnam, Krishna District vs. K.B.N. Visweswara Rao and others) the learned counsel for the applicant submits that he should also be considered for the said above/post even though his name is not sponsored by the Employment Exchange. We have disposed of number of cases. Hence the following interim order is given :-

The case of the applicant should also be considered for the post of Senior Operator Trainee along with employment exchange sponsored candidates even if his name is not sponsored by the respondents, provided he is otherwise eligible for consideration to that post and his application is received at least one week in advance of selection either written, viva-voce or both. If the applicant does not qualify the examination then this application stands dismissed. In that event the respondents should inform the Tribunal through their counsel for confirming the dismissal of this OA. If the applicant is selected and comes within the number to be appointed then his result should not be published until further order.


(B.S. JAI PARAMESHWAR)
Member (Jud1.)
24.10.97


(R.Z.R.)
Men

Dated : 24th October, 1997

(Dictated in Open Court)

sd


D.R.

Copy to:

1. The Chief Executive Officer, Nuclear Fuel Complex, Dept. of Atomic Energy, Govt. of India, ECIL Post, Hyderabad.
2. The Chief Administrative Officer, Nuclear Fuel Complex, Dept. of Atomic Energy, Govt. of India, ECIL Post, Hyderabad.
3. Regional Employment Officer, R.R.District, Hyderabad.
4. One copy to Mr.Y.Appala Raju,Advocate,CAT,Hyderabad.
5. One copy to Mr.N.R.Devraj,Sr.CGSC,CAT,Hyderabad.
6. One copy to Mr.P,Naveen Rao,Addl.CGSC,CAT,Hyderabad.
7. One duplicate copy.

YLKR

C.C. today
for 1st copy

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: 24/10/97

ORDER/JUDGMENT

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

in
D.A.NO. 1388/97

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

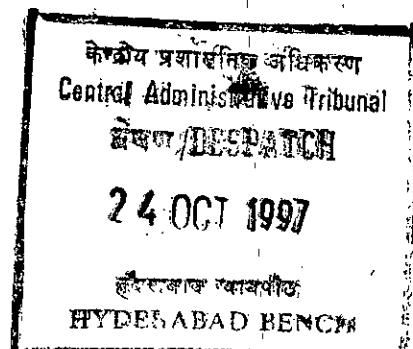
Dismissed for Default

Ordered/Rejected

No order as to costs.

YLR

II Court



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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A. NO. 1398/97

DATE OF ORDER : 1.9.1998

BETWEEN :

B. Ravi Kishore

... Applicant(s)

AND

1. Union of India : rep by
The Chief Executive Officer
Nuclear Complex, Dept. of Atomic Energy
Govt. of India, ECIL Post,
Hyderabad 500 062.
2. The Chief Administrative Officer,
Nuclear Fuel Complex,
Dept of Atomic Energy
Govt. of India
ECIL Post
Hyderabad.
3. The Employment Officer,
R.R. Dist.
Srinagar Colony,
Hyderabad.

... Respondents

Counsel for the Applicant - Shri Y. Appala Raju
Counsel for the Respondents - Shri N.R. Devaraj
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))

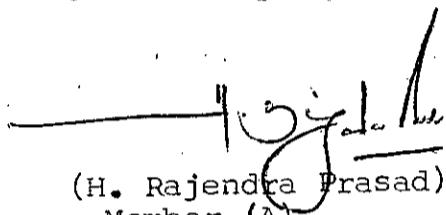
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(Order per Hon'ble Shri H. Rajendra Prasad, Member (A))

Heard ~~xx~~/Shri Y. Appala Raju for the Applicant(s),
Shri/~~xx~~ N.R. Devaraj 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.

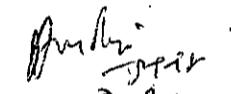
A copy of the orders passed in O.A. No. 987/96
shall be kept on record of this file and also supplied
to the Respondents to facilitate further action.


(H. Rajendra Prasad)
Member (A)


(D.H. Nasir)
Vice Chairman

DICTATED IN OPEN COURT

DATED : 24.8.1998


Deputy Registrar

...js/-

O.A. 1398/97.

To

1. The Chief Executive Officer,
Nuclear Complex, Dept. of Atomic Energy
Govt. of India, ECIL Post, Hyderabad-62.
2. The Chief Administrative Officer,
NFC Dept. of Atomic Energy, ECIL Post, Hyderabad.
3. The Employment Officer, RR Dist.
Srinagar Colony Hyderabad.
4. One copy to Mr. Y. Appala Raju, Advocate, CAT. Hyd.
5. One copy to Mr. N. R. Devraj, Sr. CGSC, CAT. Hyd.
6. One copy to Mr. P. Naveen Rao, Spl. Counsel for AP Govt. CAT. Hyd.
7. One copy to HHRP. M. (A) CAT. Hyd.
8. One copy to DR (A) CAT. Hyd.
9. One spare copy.

pvm

1 COURT

TYPED BY

COMPARED BY

CHECKED 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: 1 -9 -1998.

~~ORDER/JUDGMENT~~

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

in

O.A.NO.

1398/97

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.

9/09/98 987/96

केन्द्रीय प्रशासनिक विधिकर्मी
Central Administrative Tribunal
प्रेषण / DESPATCH

21 SEP 1998

हैदराबाद विधायकीय
HYDERABAD BENCH

FORM III (SEE RULE 8 (3))

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

M.A., NO. 979 OF 1997.

IN
O.A., NO. 1398 OF 1997.

BETWEEN:

B.RAVI KISHORE s/o B.Satyanarayana,
aged 25 years, R/O Hyderabad,
Occupation:Apprentice Trainee(Electronics Engg.)
Nuclear Fu~~u~~le Complex, Dept.of Atomic Energy,
Govt.of India, ECIL Post, Hyderabad-500 062.

AND

... APPLICANT/APPLICANT

1. Union of India:Rep.By:
The Chief Executive Officer,
Nuclear Fu~~u~~le Complex, Dept.of Atomic Energy,
Govt.of India, ECIL Post, Hyderabad-500 062
and others.

2) Chief Administrative Officer N.F.C.H.Y.D. RESPONDENT. 1 & 2

3) Regional Employment Officer R.R.D.T.U. Srinagar H.Y.D. PROPOSED
MISCELLANEOUS APPLICATION FILED UNDER RULE 8 (3) OF APPLICANT.

C.A.T (PROCEDURE) RULES, 1987.

FOR the reasons stated in the accompanying Affidavit,
the Hon'ble Tribunal may be pleased to permit the implead
petitioners herein to implead themselves as necessary parties
as official Respondent- 3 in the interests of justice, and be
pleased to pass such other and further order or orders as
this Hon'ble Tribunal may deem fit and proper in the circumstances
of the case.

Hyderabad-004,

COUNSEL FOR APPLICANT.

23 OCT 1997.

Dr. P. Venkateswaran
23/10/97

FORM III (SEE RULE 8(3))

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH
AT HYDERABAD.

M.A., No. 979 OF 1997.

IN
O.A., No. 1398 OF 1997.

BETWEEN:

B.RAVI KISHORE s/o B.Satyanarayana,
aged 25 years, R/O Hyderabad,
Occupation: Apprentice Trainee(Electronics Engg.)
Nuclear Fuel Complex, Dept.of Atomic Energy,
Govt.of India, ECIL Post., Hyderabad.500 062.

... APPLICANT.

AND

1.Union of India:Rep. by:
The Chief Executive Officer,
Nuclear Fuel Complex,Dept.of Atomic Energy,
Govt.of India, ECIL Post. Hyderabad-500 062
and others. ...

RESPONDENTS.

A F F I D A V I T .

I, B.RAVI KISHORE son of B.Satyanarayana, aged 25 years,
resident of Hyderabad, Occupation:Apprentice Trainee,(Electronics
Engg.)Nuclear Fuel Complex, Dept.of Atomic Energy, Govt.of India,
ECIL Post, Hyderebad, the Applicant herein do hereby solemnly
and sincerely affirm and state on oath as follows:

1. That I am the deponent herein and therefore well acquainted
with the facts of the case.
2. I humbly submit that I have filed O.A., No. 1398/1997
aggrieved by the impugned orders of the respondents 1 and 2.
in not accepting the application of the applicant dated 20-10-1997
submitted direct to Respondent No.1 and restricting the
selection to those candidates whose names have been sponsored by
the Employment Exchange, Rangareddy Dist.at Hyderabad for the
posts of 'SENIOR OPERATOR TRAINEES' which have fallen vacant in
the respondents organisation.In the O.A., only two respondents
viz: (1) Union of India:Rep.By;
The Chief Executive Officer, Nuclear Fuel Complex,
Dept.of Atomic Energy, Govt.of India,
ECIL Post, Hyderabad -500 062 and
(2)The Chief Administrative Officer,
Nuclear Fuel Complex, Dept.of Atomic Energy,
Govt.of India, ECIL Post,Hyderabad-500 062

(Signature)

Contd....

have been impleaded as official respondents in the case.

During the course of hearing on 22-10-1997, the Hon'ble Tribunal observed that it would be proper and necessary in the matter to implead the Regional Employment Officer, Employment Exchange, Ranga Reddy Dist. at Hyderabad as one of the respondents herein in as much as the cause of action arose as a result of non-sponsoring of the candidature of the applicant as per the requisition placed by the 1 and 2 nd respondents in this O.A. Therefore, a necessity has arisen to implead the above additional respondent as the 3 rd. respondent for a proper and full adjudication of the case.

Therefore, it is just and proper that the Hon'ble Tribunal may be pleased to permit the implead petitioners herein as necessary parties and as the 3 rd. respondents in the interests of justice, and be pleased to pass such other and further order or orders as the Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

Sworn and signed on this 23 rd. Day of October, 1997 at Hyderabad

Ramchandra
DEPONENT.

BEFORE ME

ADVOCATE.

(K. K. Devar)

Implead Petn.

IN THE CENTRAL ADMINISTRATIVE
TRIBUNAL:HYDERABAD BENCH
AT HYDERABAD.4.

M.A., NO. _____ OF 1997

O.A., No. 1398 OF 1997
in

BETWEEN:

B.RAVI KISHORE s/o B.Satyanarayana
aged 25 years R/O Hyderabad.

... APPLICANT

AND

Union of India:Rep. by:

The Chief Executive Officer,
Nuclear Fuel Complex,Dept.of
Atomic Energy, Govt.of India, Hyd.
and 2 others.

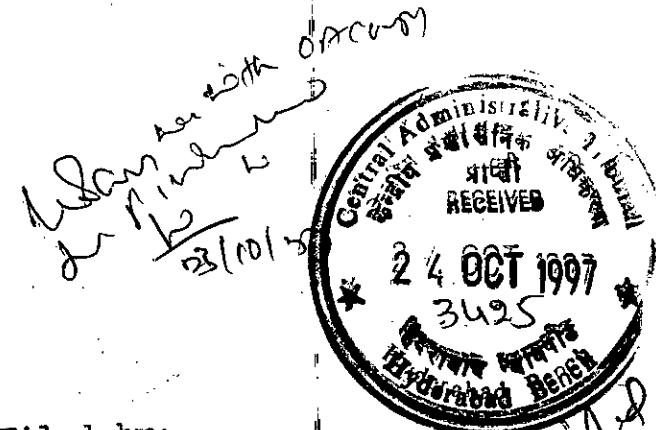
... RESPONDENTS

IMPLEAD PETITION

Petition filed under Rule 8(3) of
C.A.T(Procedure)Rules'87.

Filed for: Impleading additional
Respondents.

Filed on: 23-10-1997.



Filed by:

Y.Appala Raju,
Counsel for Applicant.

Y. APPALA RAJU, M.A. LL.B.
ADVOCATE,
Plot No: 132, Indraprastha Township,
Vinayagar, Saidabad,
HYDERABAD - 500 059. A. P.

26-10-97

पूर्व/ORIGINAL

Mr. Y. Appala Raju, for
the applicant and Mr. N.R.
Devraj, for R. 2 and
Mr. Phani Raj for
Mr. P Naveen Rao, for R. 3.

HA is not opposed.
Hence the HA is allowed
as prayed for. The
OA may be amended
suitably.

साधारण/GENERAL बेच केस/BENCH CASE

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD.

M.A. NO.

979

OF 1997.

IN

O.A. NO.

1398

OF 1997.

Impeded Solution

3
HBSSP
H.J.

✓
H.P. 111
H(A)

Mr. Y. Appala Raju,
COUNSEL FOR THE APPLICANTS.

AND

Mr. N.R. Devraj,
SR. ADDL. STANDING COUNSEL FOR
C.G. Rlys.