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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

ORIGINAL APPLICATION NO.1525 of 1997

DATE OF ORDER: 13th November, 1997

BETWEEN:

SK.ALLA BAKSH

.. APPLICANT

AND

1. Senior Electrical Engineer,  
Railway Electrification, Vijayawada,
2. The Sr.Personnel Officer,  
Railway Electrification, Vijayawada,
3. The Sr.Divisional Personnel Officer,  
South Central Railway,  
Vijayawada.

.. RESPONDENTS

COUNSEL FOR THE APPLICANT: Mr.G.V.SUBBA RAO

COUNSEL FOR THE RESPONDENTS: Mr.V.BHIMANNA, Adl.CGSC

CORAM:

HON'BLE SHRI H.RAJENDRA PRASAD, MEMBER (ADMN.)

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

JUDGEMENT

ORAL ORDER (PER HON'BLE SHRI H.RAJENDRA PRASAD,  
MEMBER (ADMN.))

Heard Mr.G.V.Subba Rao, learned counsel for the applicant and Mr.V.Bhimanna, learned standing counsel for the respondents.

2. The applicant is at present a Technical Mate in the Electrification Wing of Vijayawada Division, South

Q. 13/11

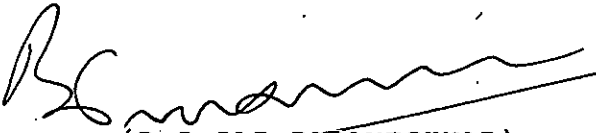
Central Railway. He was screened and duly empanelled for absorption against a Group-D post in Vijayawada Division and was allotted to Commercial Department. However, he was subsequently reallocated to Medical Department for absorption as Safaiwala. He has now received a notice vide Annexure-II that unless he joins his new post under the Health Inspector, Bhimavaram, on or before 15.11.97, his selection and allotment as Safaiwala in the Medical Department shall be treated as withdrawn. The applicant is a Graduate with ITI certificate in Electrical Trade and has worked for more than 12 years as Technical Mate in the Electrical Wing. He is desirous of being absorbed as Khalasi in any wing, preferably Commercial or Mechanical wings, failing which in any other wing as well, except in the Medical Department.

3. Considering his experience and educational background, it would be fair of the respondents to examine the feasibility of accommodating him, subject to availability of vacancies in Commercial, Mechanical or other wings of the Department, with a view to elicit his willing and sincere services on a continuing basis instead of absorbing him in a post which he feels reluctant, for obvious reasons, to join. In this connection he has also submitted two representations on 22.9.97 and 7.11.97 containing the same request. A suitable decision shall, therefore, have to be taken in this regard and conveyed to the applicant within a reasonable time. Until such time, that a decision is taken on the representations in the light of the above

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observations, his relief from the Electrical Wing shall not be carried out. It is submitted by the applicant in this connection that, should there be no possibility of his being accommodated at present in any wing other than Medical, he is even prepared to continue in the present post, like some other Technical Mates who have not so far exercised any option at all for absorption in Group-D post, and await his turn for such absorption in a post which would be more congenial to his temperament and in keeping with his education and technical attainments. This submission needs to be taken note of.

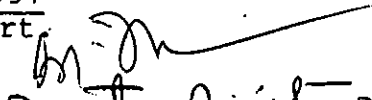
5. The OA is ordered accordingly. No order as to costs.

  
(B.S. JAI-PARAMESHWAR)  
MEMBER (JUDL.)

13.11.97

  
(H. RAJENDRA PRASAD)  
MEMBER (ADMN.)

DATED: 13th November, 1997  
Dictated in the open court.

  
Deputy Registrar

  
vsn

-4-

O.A. 1525/97.

To

1. The Senior Electrical Engineer,  
Railway Electrification, Vijayawada.
2. The Sr.Personnel Officer,  
Railway Electrification, Vijayawada.
3. The Sr.Divisional Personnel Officer,  
SC Rly, Vijayawada.
4. One copy to Mr.G.V.Subba Rao, Advocate, CAT.Hyd.
5. One copy to Mr.V.Bhimanna, Addl.CGSC. CAT.Hyd.
6. One copy to MHRP.M.(A) CAT.Hyd.
7. One copy to D.R.(A) CAT.Hyd.
8. One spare copy.

pvm

24/11/97

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. Jaiprakashan : M(D)

DATED:- 13/11/97

~~ORDER~~ JUDGMENT.

M.A../RA../C-A.No..

in

O.A.No. 1525/97

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.

With 8 Copies

केन्द्रीय प्रशासनिक न्यायिकरण / Central Administrative Tribunal
विवरण / DESPATCH
21 NOV 1997
हदराबाद न्यायपीठ HYDERABAD BENCH