

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.NO. 1568/97

Date of Order : 19.11.97

BETWEEN :

1. A.Chandrasekhar
2. Lingampally Siva Kumar
3. K.Praveen Kumar

.. Applicants.

AND

1. The Local Audit Officer  
(Air Force), O/o The Local  
Audit Office (Air Force),  
Hakimpet, Secunderabad.
2. The Joint Controller of Defence  
Accounts (Air Force), N.S.Building,  
2nd Floor, Nagapur, Maharashtra State.
3. C.D.A. (A.F.), Controller of Defence  
Accounts (Air Force), 107,  
Rajpur Road, Dehradun.
4. The District Employment Officer,  
Rangareddy District Employment Exchange,  
Srinagar Colony, Panjagutta,  
Hyderabad.

.. Respondents.

— — —

Counsel for the Applicants

.. Mr.K.Nageswara Reddy

Counsel for the Respondents

.. Mr.N.R.Devraj for R1-3

.. Mr.P.Naveen Rao for R-4

— — —

CORAM:

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

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

— — —  
Q R D E R

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

— — —

Mr.K.Nageswara Reddy, learned counsel for the applicant and Mr.N.R.Devraj, learned standing counsel for R-1 to R-3 and Mr.Phani Raj for Mr.P.Naveen Rao, for R-4.

Ts

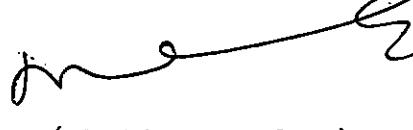
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2. Admit. The applicants are aspirants for the post of Group-D (Class IV) under R-1. A notification was issued to R-4 for sponsoring candidates. It is stated that the names of the applicants were not sponsored by R-4. Hence they submitted an application but that was not considered as their names were not sponsored by the Employment Exchange. The applicants now pray for consideration of their candidature also for the above said post relying on the judgement of the Apex Court reported in 1996 (6) Scale 676 (Excise Superintendent, Malkapatnam, Krishna District and others vs. K.B.N.Visweswara Rao and others). We have disposed of number of similar cases. Hence the following interim order is given :-

3. The case of the applicants should also be considered for the post of Group-D (Class IV) along with Employment Exchange sponsored candidates even if their names are not sponsored by R-4, provided they are otherwise eligible for consideration to that post and their applications <sup>are</sup> received at least one week in advance of selection either written, viva-voce or both. If the applicants ~~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 applicants are selected and comes within the number to be appointed then their result should not be published until further orders.

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

(19.11.97)

  
( R. RANGARAJAN )  
Member (Admn.)

Dated : 19th November, 1997

(Dictated in Open Court)

sd

  
D.R.

14  
~~W.A.1568/97~~ in OA.1568/97

Copy to:-

1. The Local Audit Officer, (Air Force), D/o The Local Audit Office (Air Force), Hakimpet, Secunderabad.
2. The Assistant Controller of Defence Accounts (Air Force), N.S. Building, 2nd Floor, Nagapur, Maharashtra State.
3. The C.D.A.(A.F.), Controller of Defence Accounts (Air Force), 107, Rajpur Road, Dehradun.
4. The District Employment Officer, Rangareddy District Employment Exchange, Srinagar Colony, Panjagutta, Hyderabad.
5. One copy to Mr. K.Nageswara Reddy, Advocate, CAT., Hyd.
6. One copy to Mr. N.R.Devaraj, Sr.CGEC., for R-1-3, CAT., Hyd.
7. One copy to Mr. P.Naveen Rao, Advocate, for R-4, CAT., Hyd.
8. One copy to O.R.(A), CAT., Hyd.
9. One duplicate.

srr

cc Today

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: 19/11/97

ORDER/JUDGMENT

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

in  
O.A.NO. 1568/97

Admitted and Interim Directions  
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

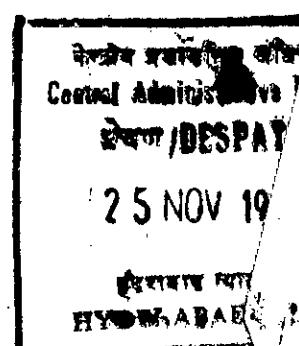
Dismissed for Default

Ordered/Rejected

No order as to costs.

YLKR

II Cour



(16)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A. NO. 1568/97

DATE OF ORDER : 24.8.98

BETWEEN :

A. Chandrasekhar  
Lingampally Siva Kumar  
K. Praveen Kumar

... Applicant(s)

AND

1. The Local Audit Officer (Air Force)  
O/C Local Audit Office (Air Force)  
Hakimpet, Secunderabad 15.
2. The J.C.D.A (Air Force)  
N.S. Building, 2nd Floor  
Nagpur 440 001.  
Maharashtra
3. C.D.A (A.F)  
107, Rajapur Road  
Dehradun
4. The Dist. Employment Ex Officer  
Rangareddy Dist. Employment Exchange  
Srimagar Colony  
Punjagutta  
Hyderabad

... Respondents

Counsel for the Applicant - Shri K. Nageswara Reddy  
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))

17

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

Heard ~~xx~~ / Shri **K. Nageswara** <sup>Reddy</sup> for the Applicant(s),  
Shri ~~xx~~ **M.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*  
(H. Rajendra Prasad)  
Member (A)

*D.H. Nasir*  
(D.H. Nasir)  
Vice Chairman

DICTATED IN OPEN COURT

DATED : 24.8.1998

*Deputy Registrar*

...js/-

-3-

O.A.1568/97

To

1. The Local Audit Officer (Air Force)  
O/o Local Audit Officer (Air Force)  
Kakimpet, Secunderabad-15.
2. The J.C.D.A. (Air Force)  
N.S. Building, 2nd floor,  
Nagpur-440001. Maharashtra.
3. The C.D.A. (AP)  
107, Rajapur Road, Dehradun.
4. The Dist. Employment Officer  
Rangareddy Dist. Employment Exchange,  
Srinagar colony, Punjagutta, Hyderabad.
5. One copy to Mr.K.Nageswar Reddy, Advocate, CAT.Hyd.
6. One copy to Mr.N.R.Devraj, Sr.CGSC. CAT.Hyd.
7. One copy to HHRP.M.(A) CAT.Hyd.
8. One copy to Mr.P.Naveen Rao, Spl.Counsel for A.P.Govt.CAT.Hyd.
9. One copy to HHRP.M.(A) CAT.Hyd.
10. One copy to DR(A) CAT.Hyd.
11. One spare copy.

pvm

The following direction is issued:

If the applicant had been permitted to appear for the test/examination/interview held on 7-9-98, or on any subsequent date, in pursuance of the interim orders passed by this Tribunal on 3.9.1997, the results of the said examination shall be declared forthwith, and the merit-based selected candidate shall be appointed now. This is in keeping with the judgment of Hon'ble Supreme Court in Excise Supdt. Malakapatnam, Krishna Dist. A.P. Vs. K.D.N. Visweshwara Rao and others (1996)(6) SCALE 676, as well as Govt. of India, Dept. of personnel and ~~Examining~~ Training O.M.No. 14024/2/96-Estt.(E) dated 18-5-1998.

Thus, the OA is disposed of finally. No costs.

Sd/-x | x  
Deputy Registrar.

CERTIFIED TO BE TRUE COPY

*Anu*  
COURT OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH  
HYDERABAD

(19)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

O.A.NO. 987/96.

Date of Order: 24-8-98.

Between:

D.Raju Naidu.

and

1. The Divisional Railway Manager,  
SE Rly, Waltair Division,  
Visakhapatnam.
2. The General Manager,  
SE Rly, Garden Reach, Calcutta.
3. Regional Employment Officer,  
Employment Exchange,  
Maharanipetta, Visakhapatnam-2.
4. Union of India, rep. by  
the Secretary, Railbhanan,  
New Delhi.
5. The Railway Board, Rep. by its  
Chairman,  
Railbhanan, New Delhi.

Applicant



Respondents.

Counsel for the Applicant: Shri M.Kesava Rao.

Counsel for the Respondents: Mr.C.V.Malla Reddy, SC for Rlys.

Counsel for the State of A.P.L Shri P.Naveen Rao.

CORAM:

THE HON'BLE SHRI JUSTICE D.H.NASIR : VICE-CHAIRMAN

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

(Order per Hon'ble Shri H.Rajendra prasad : Member(A)

Heard Shri M.Kesava Rao for the applicant,  
Shri C.V.Malla Reddy for the Respondents and Shri P.Naveen Rao  
for the Govt.of A.P.(R-3).

The matter has been reconsidered on the basis of  
the facts contained in the OA as well as in the counter affidavit.

..2

*9879/98*  
TYPED BY  
CHECKED BY

I COURT  
COMPARED 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: 24-8-1998.

ORDER/JUDGMENT

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

in

O.A.No.

1568197

T.A.No.

(W.P.)

Admitted and Interim directions  
issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

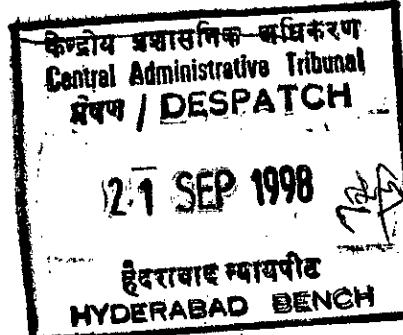
Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm.

FLW OF 987/98



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH

M.A.No. 1070 of 1997

i n

O.A.Sr.No. 3772 of 1997

Between:

1. A.Chandrasekhar  
S/o A.Venkateswarlu  
Age 21 years, OBC caste,  
Plot No.6, Chandragiri Colony,  
Trimulgherry,  
Rangareddy district
2. Lingampally Siva Kumar  
S/p L.Mallaiah  
Age 28 years, SC caste,  
1-31-34, Indiranagar Colony,  
Near Kanajiguda,  
Tirumalgherry-500 015  
Rangareddy district
3. K.Praveen Kumar  
S/o K.Vittal,  
Age 19 years, OBC  
B-134, Vanasthalipuram-500 661  
Rangareddy district

.... Applicants

a n d

1. The Local Audit Officer (Air Force)  
O/o the Local Audit Office (Air Force)  
Hakimpet,  
Secunderabad-15
2. The Joint Controller of Defence Accounts (Air Force)  
N.S.Building, 2nd floor,  
Nagpur-440 001,  
Maharashtra State
3. C.D.A. (A.F.)  
Controller of Defence Accounts (Air Force)  
Mx8x8 107, Rajapur Road,  
Dehradun
4. The District Employment Officer,  
Rangareddy district Employment Exchange,  
Srinagar, Punjagutta,  
Hyderabad

.... Respondents

APPLICATION/PETITION FILED TO PERMIT TO FILE ONE O.A. ON  
BEHALF OF OTHER APPLICANTS U/Rule 4(5) (a) OF CENTRAL  
ADMINISTRATIVE TRIBUNAL (PROCEDURE) RULES 1987.

FACTS OF THE CASE: Kindly read the para 6 of the main O.A.  
as part and partial of this M.A. The respondents 1 to 3

the ~~xxxxxxxx~~ notified the vacancies of Group D (Class-IV) posts to the Employment Exchange (4th respondent) with a view to fill up the said posts without following the Supreme Court judgement reported in 1996 (6) Scale, 676. All the applicants are eligible to hold the said posts, which posts are in the 1st respondent's office to be appointed in that office. All the applicants seeking a direction to the respondents to allow them to written test and interview to the above said posts and all the applicants belong to one district. All the applicants are unemployees and they have no income. As per U/R 4(5)(a) of the CAT rules single O.A. and single court fee of Rs.50/- is payable and the Hon'ble Bangalore CAT bench also decided the issue and reported in 1989 (2)SLJ 59. The cause of action is the same as they notified these to the Rangareddy district employment exchange and the applicants are seeking same posts and nature of relief is same and they have got a common interest in the matter and mainly to implement the Supreme Court judgement. Hence single court fee and single O.A. is maintainable as per the Administrative Tribunal Act 1985 and CAT rules.

RELIEF SOUGHT:

It is therefore prayed that the Hon'ble Tribunal may be pleased to permit the applicants to file one O.A. (this O.A.) and also to permit them to pay single set of court fee of Rs.50/- on behalf of the other applicants and kindly direct the office to number the O.A. and post the O.A. before the Hon'ble Court for admission and dispose of this O.A. and pass such other order or orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

VERIFICATION

I, A.Chandrasekhar s/o A.Venkateswarlu, the first applicant in this O.A. and M.A. do hereby verify and state

TO FILE A SUIT ON  
~~RANGAREDDY DISTRICT~~

CENTRAL ADMINISTRATIVE TRIBUNAL AT  
HYDERABAD

M.A.No.

of 1997

in

O.A.Sr.No.

of 1997



M.A. Filed U/R 4(5) (a) C.A.T.  
Rules 1987.

Received  
by [Signature]  
for N.R. Deo  
all

Filed by:

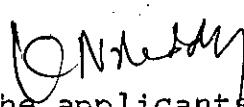
Mr. K. NAGESWARA REDDY

Counsel for the applicants

Received  
by [Signature]  
for N.R. Deo  
all

may be kept  
TAT

on my behalf and on behalf of the other applicants on  
authorisation to do so, state that the facts stated above  
are true to our knowledge and on advise of of our counsel  
and we have not supressed any material facts herein.

 A. Chandra Sekhar  
Counsel for the applicants Signature of the 1st applicant

Dated: 18-11-1997

To

The Registrar,  
Central Administrative Tribunal,  
Hyderabad

19.11.97

पूर्व/ORIGINAL

Mr. K. Nagendra Reddy

for the applicant and

Mr. N.R. Devraj for R<sub>1</sub> - 3 and

Mr. Phani Raj for Mr. P. Manekar

for R<sub>4</sub>.

बैच केस/BENCH CASE

दाव/DEFENCE

CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : HYDERABAD.

M.A. NO. 1070 OF 1997

IN

O.A. SR. NO. 3772 OF 1997

MA is not opposed. Under

the circumstances referred to

the MA is allowed. Register

the OA.

✓

JK  
HBSTP  
H.J.

HRRN  
H(A)

SINGLE O.A. PETITION

Mr. K. Nagendra Reddy  
COUNSEL FOR THE APPLICANT.

AND

Mr. \_\_\_\_\_

Sr. ADDL. STANDING COUNSEL FOR  
C.G. Rlys.