

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A.No. 1605/97

Date of Order : 9.12.97

BETWEEN :

G.Dayakar Rao

.. Applicant.

AND

1. The Director, Defence Electronic  
Research Laboratory, Chandrayanagutta,  
Hyderabad.

2. The Secretary to the Ministry of  
Defence Research & Development  
Organisation, 'B' Wing Sena Bhavan,  
New Delhi.

.. Respondents.

- - -

Counsel for the Applicant

.. Mr.K.Venkateswara Rao

Counsel for the Respondents

.. Mr.V.Vinod Kumar

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CORAM:

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

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

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O R D E R

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

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Mr.K.Venkateswara Rao, learned counsel for the applicant  
and Mr.V.Vinod Kumar, learned standing counsel for the  
respondents.

2. The applicant is an aspirant for the post of Technical  
Assistant 'A' under R-1. He submits that the Ministry of  
Defence by letter No.DRDO/87661/SC Tech/MPD-2, dated 20.1.95  
(A -2) has informed R-1 that the applicant is eligible for  
promotion to the post of Technical Assistant 'A' in view

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of his qualification. The applicant appeared for the examination for the post of Technical Assistant 'A' through LDCE as can be seen from the letter dated 4.10.96 (page-11). However he was informed by the impugned letter of R-1 No.DRDL/EST.II/413553/DRTC dated 19.9.97 (A-1) that he was not found suitable for appointment to the post of Technical Assistant 'A' through LDCE under DRTC Rules for the year 1996-97.

3. This OA is filed for setting aside the impugned letter dated 19.9.97 and for a consequential declaration that the applicant is entitled for appointment to the post of Technical Assistant 'A' under the 25% quota meant for departmental candidates through LDCE on the basis of his performance and merit in the written test and interview held on 16./19.96 and 18.10.96 respectively.

4. The applicant has approached this Tribunal challenging the letter dated 19.9.97 without taking recourse to the normal channel of grievance redressal machinery available in his department. Normally, such applications are admitted in the Tribunal provided the applicant had exhausted the normal channel as envisaged in the C.A.T. Rules. Hence we feel that the applicant should now submit a detailed representation to R-2 for considering his case and on that basis if he is aggrieved by the order, he may approach this Tribunal thereafter.

5. The impugned letter is not clear that the candidature of the applicant has been rejected on account of his failure in the competitive examination. Hence it cannot be said that the applicant was found ineligible as he had failed to qualify in the written and viva-voce. However this point also needs to be considered by the appellate authority.

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6. In the result the O.A. is disposed of at the admission stage itself with the following direction :-

The applicant, if so advised, may submit a detailed representation within a fortnight from the date of receipt of a copy of this order to R-2 indicating his case fully as prayed for in this OA. If such a representation is received by R-2 within that stipulated time then that representation should be disposed of by R-2 within a period of 3 months from the date of receipt of a copy of that representation.

7. No costs.

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

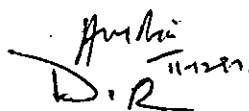
9.12.97

  
( R. RANGARAJAN )  
Member (Admn.)

Dated : 9th December, 1997

(Dictated in Open Court)

 sd

  
D.R.

DA.1605/97

Copy to:-

1. The Director, Defence Electronic Research Laboratory, Chandrayanagutta, Hyderabad.
2. The Secretary to the Ministry of Defence Research & Development Organisation, 'B' Wing Sena Bhavan, New Delhi.
3. One copy to Mr. K. Venkateswara Rao, Advocate, CAT., Hyd.
4. One copy to Mr. V. Vinod Kumar, Addl. CGSC., CAT., Hyd.
5. One copy to D.R.(A), CAT., Hyd.
6. One duplicate.

SRR

16/12/97 (6)

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: 9/12/97

~~ORDER/JUDGMENT~~

~~M.A./R.A./G.A.NO.~~

in  
D.A.NO. 1605/97

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

केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal  
लेख/DESPATCH  
15 DEC 1997  
हैदराबाद न्यायपीठ  
HYDERABAD BENCH