

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

— — —

CORAM:

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

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

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 letterNo.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 16.9.96 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 authority~~ 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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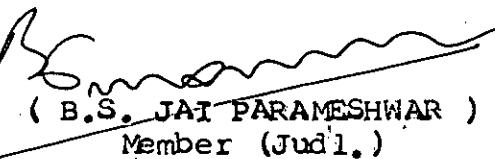
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6. In the result the O.A. is disposed of at the admission stage itself with the following direction :-

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.

OA.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.

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16/12/97  
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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  
O.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.

YLR

II Court

