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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 1702/97

Date of Order : 9.3.99

BETWEEN :

M.Kranti Kumar Reddy

.. Applicant.

AND

1. The Director (Admn.Services),  
Defence Metallurgical Research  
Laboratory, Kanchanbagh,  
Hyderabad.

2. The Secretary to the Ministry of  
Defence, New Delhi.

.. Respondents.

— — —

Counsel for the Applicant

.. Mr.T.V.V.S.Murthy

Counsel for the Respondents

.. Mr.B.N.Sharma

— — —

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 B.S.Jai parameshwar, Member (Judl.) X

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Mr.T.V.V.S.Murthy, learned counsel for the applicant  
and Mr.M.C.Jacob for Mr.B.N.Sharma, learned standing counsel  
for the respondents.

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2. The applicant has filed this OA praying for a direction to the respondents to consider his candidature for the post of Technical Assistant 'A' in the respondent organisation. He relied upon the decision of the Hon'ble Supreme Court in the case of Excise Superintendent, Malkapatnam, Krishna District, and others v. K.B.N.Visweswara Rao reported in 1996 (6) Scale 676. He sought for an interim direction. However interim direction was not given as the applicant had approached this Tribunal very late.

3. The respondents have filed a counter stating that as per the existing instructions recruitment to Group-C and D rules under the Central Government has to be done through employment exchange that accordingly 2 vacancies of Technical Assistant 'A' in the subject of Metallurgy were notified <sup>to</sup> ~~by~~ the employment exchange on 29.8.97. The employment exchange sponsored 9 candidates and call letters were sent to all the candidates fixing the date for interview on 15.12.97.

4. Further they submit that on 10.12.97 the applicant submitted his application stating that his case also to be considered in the light of the Supreme Court decision cited above. However the respondents ~~are~~ stated <sup>to</sup> that DOPT had challenged the decision of the Supreme Court in C.A.Nos. 11646 11724 of 1996 dated 22.8.96.

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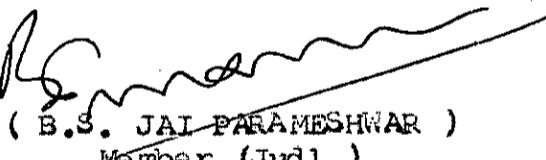
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No 14024/2/96-ESTT (D)

5. Now the DOPT has issued O.M. dated 18.5.98 giving instructions/guidelines to all the departments to follow the decision of the Hon'ble Supreme Court in filling up the posts. Therefore the respondent authorities are to follow the decision of the Hon'ble Supreme Court as well as the OM dated 18.5.98 for future vacancies.

6. Since the applicant had not approached this Tribunal in time we could not give any direction to consider his candidature. This is the view taken by us also at the time of passing interim direction.

7. In this view of the matter the OA is dismissed.  
No costs.

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

9.3.99

  
( R. RANGARAJAN )  
Member (Admn.)

Dated : 9th March, 1999  
( Dictated in Open Court )

  
Amriti  
Patel

sd

Copy to :

1. HDHN

19/3/99  
1ST AND 2ND COURT

TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

2. HHRP M(A)

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : HYDERABAD.

3. HBSJP M(J)

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

4. D.R. (A)

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

5. SPARE

THE HON'BLE MR.R. RANGARAJAN :  
MEMBER (A)

THE HON'BLE MR.B.S. JAI PARAMESWAR  
MEMBER (J)

+ DATED: 9/3/99

ORDER/ JUDGEMENT

MA./RA./GP. No. 1702/97

IN

1. O.A. NO. 1702/97

ADMITTED AND IN INTERIM DIRECTIONS  
ISSUED.

2. ALLOWED

3. DISPOSED OF WITH DIRECTIONS

4. DISMISSED

5. DISMISSED AS WITHDRAWN

6. ORDERED/ REJECTED

7. NO ORDER AS TO COSTS

8. SRR

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