

1 (22)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

..
O.A.No.1712 of 1997.
- - - - -

Date of decision: 29th December, 1997.
- - - - -

Between:

Sri K.Subbaiah. Applicant.

And

1. Union of India represented by Principal
Secretary, Ministry of Commerce, Govt. of
India, New Delhi.

2. Visakhapatnam Export Processing Zone
represented by its Development Commissioner,
Govt. of India, Ministry of Commerce,
Udyog Bhavan Complex, Siripuram Junction,
Visakhapatnam 530 003.

3. The Development Commissioner Export Processing
Zone, Govt. of India, Ministry of Commerce,

4. K.S.Kashyap S/o Not Known, R/o MIG II, 143
B.C.Road, Vikasnagar, Gajuwaka, Visakhapatnam.

Respondents.

Counsel for the applicant: Sri Pratap Narayan Sanghi

Counsel for the respondents:Sri N.V.Raghava Reddy.

CORAM:

Hon'ble Sri R. Rangarajan, Member (A)

Hon'ble Sri B.S.Jai Parameshwar, Member (J)

JUDGMENT.

(per Hon'ble Sri R. Rangarajan, Member (A))

Heard Sri Pratap Narayan Sanghi, counsel for the
applicant and Sri Raghava Reddy for Respondents 1 to 3.

This O.A., is filed praying for the following

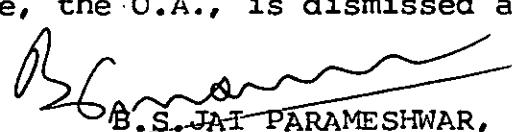
reliefs:



: 2 :

- a) to declare the rules recruitment for Head Security Guard by promotion as illegal, arbitrary and unconstitutional;
- b) to declare that the applicant is entitled for being considered Security Guard without insisting for 13 years of service as Security Guard.
- c) to declare the order of appointment of the 4th respondent issued by Proceedings No.5/21/VEPZ/93 dated 14-10-1997 as illegal, arbitrary and unconstitutional; and
- d) to direct the respondents to consider the case of the applicant for promotion as Head Security Guard either in the vacancy of 4th respondent or any other vacancy in the interests of justice.

The learned counsel for the applicant submits that he is withdrawing this O.A., as it is likely that the respondents may reconsider the Rules. In view of the above, the O.A., is dismissed as withdrawn. No costs.

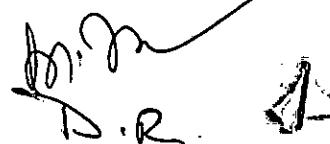

B.S. JAI PARAMESHWAR,
Member (J)


R. RANGARAJAN,
Member (A)

29.12.97 Date: 29--12--1997.

Dictated in open Court.

sss.


D.R.

OA.1712/97

Copy to:-

1. The Principal Secretary, Ministry of Commerce, Govt. of India, New Delhi.
2. The Development Commissioner, Vishakapatnam Export Processing Zone, Ministry of Commerce, Udyog Bhavan Complex, Siripuram Junction, Visakhapatnam.
3. The Development Commissioner Export Processing Zone, Ministry of Commerce, Udyog Bhavan, Siripuram Junction, Visakhapatnam.
4. One copy to Mr. Pratap Narayan Sanghi, Advocate, CAT., Hyd.
5. One copy to Mr. N.V. Raghava Reddy, Addl. CGSC., CAT., Hyd.
6. One copy to Dr. R. (A), CAT., Hyd.
7. One duplicate.

srr

12/1/98

AI Court

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE R. Rangarao
VICE-CHAIRMAN M(A)

AND

THE HON'BLE MR. H. RAJENDRA PLASADE M(A)
B. S. Jai Parameshwar M(B)

DATED: 29-12-1997

ORDER/JUDGMENT:

M.A./R.A./C.A. No.

in
O.A. No. 1712/97

T.A. No.

(W.R)

Admitted and Interim directions
Issued.

Allowed

Disposed of with direction

Dismissed.

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm

केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal

प्रेषण/DESPATCH

6-7 JAN 1998

हैदराबाद न्यायालय
HYDERABAD BENCH