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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:

AT HYDERABAD

O.A.No.29 of 1999.

DATE OF ORDER:3-1-2000.

Between:

E.Satyanarayana.

...Applicant

a n d

1. Union of India, rep. by its
Secretary, Ministry of Defence,
New Delhi.

2. Admiral Superintendent, Naval
Dockyard, Visakhapatnam-530 014.

...Respondents

COUNSEL FOR THE APPLICANT :: Mr.P.B.Vijaya Kumar

COUNSEL FOR THE RESPONDENTS:: Mr.V.Rajeshwar Rao

CORAM:

THE HON'BLE SRI JUSTICE D.H.NASIR, VICE CHAIRMAN

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN.)

: O R D E R :

ORAL ORDER (PER HON'BLE SRI R.RANGARAJAN, MEMBER (A))

Heard Mr.P.N.Reddy for Mr.P.B.Vijay Kumar, learned
Counsel for the Applicant and Mr.V.Rajeshwar Rao, learned
Standing Counsel for the Respondents.

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2. This OA is filed praying for a declaration that the Proceedings No.PIR/1106/SR/SK-I/REP, dated 21-9-1998 (Annexure.I, page 7 to the OA), whereby the representation of the applicant dated 3-9-1998 requesting for correcting the error of showing him below certain employees was rejected by holding such a rejection as illegal, arbitrary and for a consequential direction to the respondents to protect the seniority of the applicant obtaining as on 3-4-1989 with all consequential and attendant benefits.

3. The main request of the applicant in this OA is that he should be placed above certain employees in the seniority roll as seen from his representation enclosed as Annexure-III, page 12 to the OA. If the applicant requests for placement in seniority above certain employees, no order can be passed without hearing those affected employees. Non-impleading of such necessary parties is bad in law. Hence, no order can be passed in this OA. However, the applicant submits that the impugned Order dated 21-9-1998 is an appealable one and he submits that he will appeal against the same to the appropriate higher authority.

4. In view of the above submission, the OA is disposed of giving liberty to the applicant, if so advised, to appeal against the impugned Order No.PIR/1106/SR/SK-I/REP, dated 21-9-1998 to the appropriate authority for consideration of his case. No costs.


(R.RANGARAJAN)
MEMBER (ADMN.)


(D.H.NASIR)
VICE CHAIRMAN

DATED: this the 3rd day of January, 2000

DSN
Dictated in the Open Court

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH : HYDERABAD.

1ST AND 2ND COURT

31/1/2000

COPY TO:

1. HDHNJ

2. HRRN M (ADMN.)

3. HBSJP M (JUDL.)

4. D.R. A (ADMN.)

5. SPARE

6. ADVOCATE

7. STANDING COUNSEL

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

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

THE HON'BLE MR.R.RANGARAJAN
MEMBER (ADMN.)

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

* * *

DATE OF ORDER: 31/1/2000

MA/RA/CP NO.

IN

OA. NO. 29/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

CP CLOSED

RA CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO ORDER AS TO COSTS

6 copies

