

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 660/99

Date of Order : 29.4.99

BETWEEN :

T.V.H.Sastry

.. Applicant.

AND

1. General Manager,
S.C.Railway, Rail Nilayam,
Secunderabad.
2. Chief Personnel Officer,
S.C.Railway, Rail Nilayam,
Secunderabad.
3. Chief Engineer,
Rail Nilayam, Secunderabad.

.. Respondents.

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Counsel for the Applicant

.. Mr.P.P.Vittal

Counsel for the Respondents

.. Mr.C.V.Malla Reddy

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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.P.P.Vittal, learned counsel for the applicant
and Mr.C.V.Malla Reddy, learned standing counsel for the
respondents.

2. The applicant in this OA was allowed to officiate on adhoc basis as Chief Typist in the ^{scale of} pay of Rs. 1600-2660 as per the office order dated 7.2.96 (A-1). The applicant submits that the said post though work charged one as available upto 31.10.98 as per the memo dated 26.10.98 (A-7). The applicant was given a notice dated 15.7.98 stating that he is likely to be reverted and he can submit his representation in that connection. The applicant submits that he has not received that notice. In the meantime the Chief Engineer wrote to the Chief Personnel Officer by his letter dated 22.7.98 (A-9) requesting the Chief Personnel Officer to continue the applicant as Chief Typist on adhoc basis as per letter ^{dated} 7.2.96. In spite of that, the applicant was reverted as Head Typist by the impugned order No.P.EST/535/Typist, dated 7.9.98 (A-10). In spite of that issue of the impugned reversion order, the Chief Engineer has informed C.P.O. that the applicant will continue as Chief Typist on adhoc basis as approved by Chief Engineer, S.C.Railway.

3. In the present circumstances the applicant submits that he should be continued as Chief Typist and he should be paid as Chief Typist.

4. This OA is filed to set aside the impugned order dated 7.9.98 and for a consequential direction to R-1 and 2 to continue him as Chief Typist w.e.f. 7.9.98 and pay the arrears accrued from 7.9.98.

.. 3 ..

5. Though the reversion order was issued on 7.9.98 the applicant had³ approached this Tribunal by filing this OA on 28.4.99. The reason for the delayed action, the applicant submits, ^{was} ~~that~~ due to the fact that he had already submitted a representation dated 11.1.99 (A-12) and he was waiting for the reply. But no reply has been received and hence he had³ approached this Tribunal.

6. The learned counsel for the respondents though initially submit^{ted} that he will file a reply but on consultation with the railway official he submitted that the General Manager ^{Consider this and pass the} can issue ~~the~~ final order on the basis of the material available on record.

7. In view of the above the following direction is given:

The representation of the applicant dated 11.1.99 (A-12) should be disposed of by R-1 within a period of 21 days from the date of receipt of a copy of this order in accordance with the rule after perusing the various contentions raised in this OA and also after perusing the relevant records in this connection.


8. The OA is ordered accordingly at the admission stage itself. No costs.

9. Registry to send a copy of this OA along with judgement to R-1.

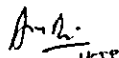

(B.S. JAI PARAMESHWAR)
Member (Judl.)

sd

99.4.99


(R. RANGARAJAN)
Member (Admn.)

Dated: 29th April, 1999


11/5/99

COPY TO:-

1. HDHND

2. HHRP M(A)

3. HBSJP M(J)

4. D.R.(A)

5. SPARE

1ST AND 2ND COURT

TYPED BY
COMPOSED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

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

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

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

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

ORDER: 29.4.99

ORDER / JUDGEMENT

MA./RA./CP No.

in
DA. No. 660/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED.

ALLOWED.

C.P. CLOSED.

R.A. CLOSED.

O.A. CLOSED.

DISPOSED OF WITH DIRECTIONS.

DISMISSED.

DISMISSED AS WITHDRAWN.

ORDERED / REJECTED.

NO ORDER AS TO COSTS

SRR

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
प्रेषण / DESPATCH

31 MAY 1999

हैदराबाद न्यायपीठ
HYDERABAD BENCH