

10

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
HYDERABAD

C.P.No.31 of 2000 in OA.No.1050 of 1999.

DATE OF ORDER:17-4-2000.

Between:

P.Chandraiah.

..Applicant

a n d

1. N.C.Sinha, General Manager,  
South Central Railway, Rail Nilayam,  
Secunderabad.

..Respondent

COUNSEL FOR THE APPLICANT :: Mr.K.Sudhakar Reddy

COUNSEL FOR THE RESPONDENT :: Mr.J.R.Gopal 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 :

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

Heard Mr.K.Sudhakar Reddy, learned Counsel for the  
Applicant and Ms.Shakti for Mr.J.R.Gopal Rao, learned  
Standing Counsel for the Respondent.

.....2

2

2. The Order passed in the OA dated 22-7-1999 is to place the case of the applicant before the appropriate authority who is competent to relax the age. It is stated for the respondents that the General Manager has placed the file before the competent authority viz., Railway Board, to consider the case of the applicant for relaxation of age. However, by Order No.E(NG)II-2000/RC-5/4 CAT, dated 13-4-2000, the case of the applicant was rejected.

3. We have perused the letter dated 13-4-2000. This letter does not speak of relaxation of age. It only says that there is no ground for relaxation of minimum educational qualification of class VIII ~~passed~~ prescribed for appointment in Group-'D' category on the Railways. This reply cannot be said to be a proper implementation of the Judgment in the OA. The authorised authority should say whether age relaxation <sup>Can be</sup> ~~is~~ given or not. After giving age relaxation, the case of the applicant may be considered in accordance with the rules. Hence, the Order dated 13-4-2000 cannot be said <sup>to be</sup> ~~as~~ a proper implementation of the Judgment in the OA.

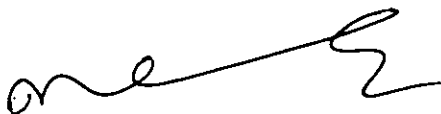
4. Hence, the Order dated 13-4-2000 is hereby set aside, so far it applies to the applicant in the CP, on the ground that it is not the proper implementation of the Judgment given in the OA. ~~Though~~ <sup>as</sup> the respondents have issued this Order even belatedly, <sup>no</sup> extension of time was granted as it was not asked for.

.....3

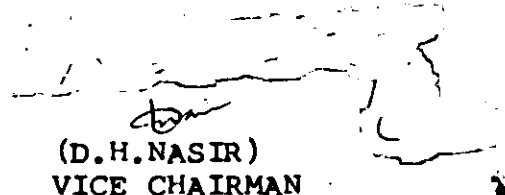
12

5. In view of the above, we are of the opinion, that the respondents have not acted in accordance with the directions given in the OA. However, as a second chance, we direct the appropriate authority to issue a proper Order within a period of 30 days from today and that Order should reach the applicant within that stipulated period.

6. The CP is closed with the above observations. No costs.



(R. RANGARAJAN)  
MEMBER (A)



(D.H. NASIR)  
VICE CHAIRMAN

DATED: this the 17th day of April, 2000

-----

Dictated in the Open Court

\*\*\*

DSN