

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

ORIGINAL APPLICATION NO. 1041/99

DATE OF ORDER : 8-9-1999.

Between :-

J.Krishnaiah

... Applicant

And

1. The General Manager, SC Rlys,  
Rail Nilayam, Sec'bad.
2. The Workshop Personnel Officer,  
Carriage Repair Shop, SC Rlys,  
Tirupathi.

... Respondents

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Counsel for the Applicant : Shri K.Sudhakar Reddy

Counsel for the Respondents : Shri C.V.Malla Reddy, SC for Rlys

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CORAM:

THE HON'BLE SHRI R.PANGARAJAN : MEMBER (A)

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (J)

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

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

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None for the applicant. Heard Sri Venu Gopal for Sri C.V.Malla Reddy, Standing Counsel for the Respondents.

2. The applicant submits that he was to be appointed against Land Losers' Quota as his land situated at Settipally Village was acquired for the construction of Carriage Repair Shop, Tirupati. Earlier the applicant filed OA 1620/95 on the file of this Bench which was disposed of on 17.9.1996 directing the Respondents to consider the claim of the applicant therein for appointment in any post in accordance with his educational qualifications. The case of the applicant was rejected by the impugned order No.TR/P/563/DP/Gr.D/Vol.IV dated 10.10.1997 (Annexure-I page-10 to the OA) on the count that the applicant is over aged.

3. This O.A. is filed to set aside the impugned order dated 10.10.1997 as illegal, arbitrary and void-ab-initio and to consider the case of the applicant for appointment against Group-D post by relaxing the age limit as was done in similar cases earlier.

4. The contentions and the prayer in this OA are the same as the contentions and prayer in the earlier OA No.1039/99 which is disposed of today. Hence the following direction is given :-

The impugned order dated 10.10.1997 passed by Respondent No.2 is hereby set aside as it is possible that Respondent No.2 may not be competent

to grant age relaxation. Hence the case of the applicant should be put up before the authority <sup>which</sup> is competent to relax age. While considering the case of the applicant, cases if any of similarly situated persons should also be taken note of before deciding this case finally.

5. Time for compliance is three months from the date of receipt of a copy of this order.

6. With the above direction, the O.A. is disposed of. No order as to costs.

  
(B.S.JAI PARAMESHWAR)  
Member (J)  
8/9/97

  
(R.RANGARAJAN)  
Member (A)

Dated: 8th September, 1999.  
Dictated in Open Court.

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