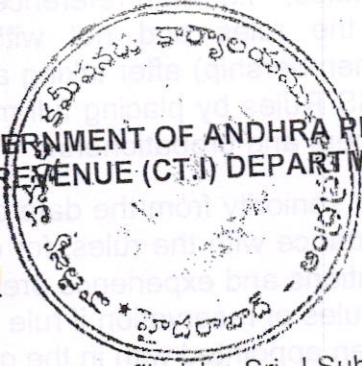


GOVERNMENT OF ANDHRA PRADESH
REVENUE (CT.I) DEPARTMENT



Dated.29.06.2011.

Memo No.263/CT.I(2)/2011

492

dx

Sub:-Suits – Appeal petition filed by Sri J.Subba Reddy, presently working as Commercial Tax Officer, Guntakal and 11 others.

- Ref:-1.Hon'ble APAT orders dated.27.12.2010 in OA No.9200/2010 filed by Sri J.Subba Reddy, presently working as C.T.O. Guntakal and 11 others along with representation
- 2.Govt. Memo No.263/CT.I(2)/2011, dated.11.01.2011.
 - 3.CCTs Ref No.DX2/1469/2010, dated.09.03.2011 along with his letter dated.10.01.2007.
 - 4.Govt. Memo No.263/CT.I(2)/2011, dated. 01.04.2011.
 - 5.CCTs Ref No.DX2/1469/2010, dated.25.04.2010.

The attention of the Commissioner of Commercial Taxes is invited to the reference 1st cited. The Hon'ble APAT has passed the interim orders in OA No.9200/2010 filed by Sri J.Subba Reddy and directed the Government to dispose off the appeal petition dated.28.06.2006 of the applicants in the OA.

In the appeal petition filed by the Direct Recruit ACTOs of 1989 batch, they have raised the following points in the matter of review of seniority list of ACTOs which was published in Gazette No.823, dated.02.12.2005.

dx

1. They were given seniority from the date of their joining under Rule 33(a) of the APS & SS Rules instead of from the date of arising of the vacancy of ACTOs under 40% quota for the direct recruitment. They contended that the same rule is not followed in respect of rank promotes in the matter of fixation of their seniority, and some individual who were working as Sr.Assts by the time of their joining were given seniority over them in the ACTO cadre.
2. They stated that under rule 6(d)(1) of the APS & SS Rules, 1996 if there are no eligible persons for the vacant positions, those vacancies shall be brought to the next or subsequent years for the preparation of panels of the particular year, but in case of Hyderabad (Rural) Division, the vacancies of nearly 10 points from 1975-76 panel onwards were carried forward at a time to the year of 1984-85, and expressed that if the same procedure is adopted, all carried forward vacancies should be carried forward till the eligible person are available in a panel and subsequent placements should be given.
3. During the panel year 1984-85, there were only 12 vacancies meant for Rank Promotees in Hyderabad (Rural) Division, but 22 persons were given placements.
4. In the seniority list of ACTOs finalized in the reference No.DX2/61/2005, dated.05.11.2005, names of four ACTOs were removed and in their place four other ACTOs, who were earlier juniors to them, were inserted in the seniority list and thereby their names were relegated in the integrated seniority list and consequently this their promotions to the cadre of CTOs etc.,

The Commissioner of Commercial Taxes is informed that he has to finalize an published the integrated seniority list of ACTOs from 1975-76 to 1991-92 and 1992-93 to 1999-2000 of Zone VI i.e. Secunderabad and Hyderabad (Rural) Nodal Divisions base on certain guidelines indicated by the Hon'ble APAT in OA No.6022/2001 and batc dated.22.07.2003 which includes, inter alia, the following.

Seniority of a member of service has to be fixed in terms of Rule 33 of the APS & SS Rules, i.e., with reference to the date of appointment in accordance with the rules and not with reference to the date of confirmation (full membership) after taking action in terms of rules 25 and 29 of the APS & SS Rules by placing full members as a class above the approved probationers and probationers.

(2) For counting seniority from the date of appointment, one should be appointed in accordance with the rules, for example – (a) he should have necessary qualifications and experience prescribed under the rules, (b) he should satisfy the rules of reservation if rule of reservation is applicable (c) he should have been appointed within the quota prescribed, if any, under rules and (d) the procedure prescribed, if any, for such appointment. If a person does not satisfy any of the conditions prescribed under the rules at the time of appointment his seniority has to be counted not from the date of such appointment but from the date on which he satisfied the requirement of the rules.

(3) In the case of appointment to the post of Asst. Commercial Tax Officer, where recruitment to service is both by direct recruitment and transfer, the quota meant for direct recruits/transferees should be arrived at on the following basis.

(a) In the case of direct recruits appointed prior to 08.03.83, they are entitled for appointment against 40% of substantive vacancies in the permanent cadre. After 08.03.1983 and before the new AP Commercial Tax Subordinate Service Rules came into force, they are entitled not only for 40% of the substantive vacancies in permanent cadre but also for 40% of substantive vacancies arising in temporary posts in terms of explanation to rule 6 of the APS & SS Rules. After AP Commercial Tax Subordinate Service Rules'1990 came into force they are entitled for 4 vacancies in a cycle 10 vacancies which arises in the services.

b) In the case of transferees appointed prior to 08.03.1983 they are entitled for 60% of the vacancies in the permanent cadre and also all the vacancies that arise in temporary posts. After 08.03.1983 they are entitled for 60% of vacancies in permanent cadre, 60% of the substantive vacancies in temporary posts in terms of explanation to Rule 6 of General Rules and also all the vacancies that arise in temporary posts which cannot be treated as substantive vacancies in terms of explanation to Rule 6 of the General Rules. It is however to be noted that when temporary posts are sanctioned for the first time all the vacancies that arise in those posts would be available for transferees. But if those posts are continued beyond one year certain percentage of substantive vacancies would not be available for transferees. Therefore, transferees could be said to be appointed within his quota only if he comes within the quota meant for a transferee not only in the first year of sanction of temporary posts but also within the quota meant for transferee if the post is continued beyond one year. After the AP Commercial Tax Subordinate Service Rules, 1990 came into force, transferees would be entitled for 5 vacancies in a cycle of 10 (excluding vacancy meant for a city list candidates) which arise in the service.

(4) The vacancies referred to above for the purpose of calculation of quota does not include stopgap or fortuitous or short time vacancies like leave vacancies etc.,

According to the AP CT Subordinate service rules the method of appointment to the post of ACTO is (i) By Direct Recruitment (DR) and (ii) By appointment by transfer (R.P). The ratio (quota-rota) between the DRs/RPs is 40 : 60.

Government have examined the appeal petition, as directed by the Hon'ble APAT, and also the integrated seniority list of ACTO in Zone VI. It is observed that the preparation of panels from the year 1975-76 to 1991-92 in Hyderabad Nodal Division is not in accordance with the orders of the Hon'ble APAT and the quota rota rule as shown below.

(1) The ACTO vacancies have to be calculated and apportioned between the Rank Promotees and Direct Recruittees, for three different spells, as detailed hereunder.

First spell for the period from 1.9.1975 up to 8.3.83;

Second spell for the period from 9.3.83 to 3.2.90

Third spell for the period beyond 3.2.90.
(i.e. AP CT Subordinate service rules came into force.)

During the period of first spell i.e., from 1.9.1975 to 08.03.1983, all temporary vacancies have to be allotted to RPs and substantive vacancies have to be apportioned in the ratio of 2:3 between DRs and Rank Promotees.

During the second spell i.e. from 08.03.1983 to 03.02.1990, the temporary vacancies have to be apportioned between Rank Promotees and Direct Recruittees following the formula indicated in the APAT orders in OA No.6022/2001, dated.22.07.2003, as stated above Govt have issued instructions vide memo No.1967/CT.I(2)/2001-9, dated.18.09.2003 in this regard.

During the third spell, i.e. beyond 03.02.1990 a 10 point cycle has to be followed as given below.

First Vacancy	Direct Recruitment.
Second Vacancy ...	By Transfer
Third Vacancy	By Transfer
Fourth Vacancy ...	Direct Recruitment
Fifth Vacancy.....	By Transfer
Six Vacancy....	Direct Recruitment
Seventh Vacancy ...	By Transfer
Eighth Vacancy	By Transfer
Ninth Vacancy ...	Direct Recruitment
Tenth Vacancy....	By Transfer

It is apparent from the A.P.Gazetee No.823, dated. 02.12.2005 that the calculation of vacancies and the application of rota-quota rule has not been properly done.

(2) It is observed that more number of rank promotees have been accommodated in some panels than the slots actually available for them as per-rota-quota rule.

(3) The actual/notional date of joining shall be the criteria to assign inter-seniority among the RPs and DRs who occupy the slots meant for them as per the rota-quota rule. This is in terms of rule 33(a) of APS & SS Rules.

(4) If the vacancies meant for either DRs or RPs as per quota-rota rule, could not be filled up in a particular panel year by the respective category the same shall be carried over to the next year.

Case

forward to the next panel year and filled up with the eligible candidates from the same category as per the rules in force.

Since the details regarding the panel year wise number of vacancies in substantive/temporary posts are available with the Commissioner of Commercial Taxes the case is remitted to him with a request to scrutinize the panels of ACOs of Zone VI prepared and published in the A.P. Gazette No.823, dated.02.12.2005, on the above mentioned lines and rectify the defects pointed out above duly pushing down the Rank Promotees, if any who are in excess of the quota allotted to them, as per the rota-quota rule, below the Direct Recruit Candidates, including the appellants who occupy their own slots.

The appeal petition is accordingly disposed off.

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Commercial Taxes, Hyderabad.

The Individual through the Commissioner of Commercial Taxes; Hyderabad.

// FORWARDED BY ORDER //


SECTION OFFICER



GOVERNMENT OF ANDHRA PRADESH
REVENUE (CT.I) DEPARTMENT

Memo No.37295/CT.I(2)/2011

Dated.31.12.2011.

39/1/2012
D2/8/12
Sub:-Suits – OA No.8947/2011 filed by Sri K.V.Jagadeeswara Rao, CTO and 2 others before the Hon'ble APAT – Interim orders – Instructions issued – Reg.

Ref:-1.Representation dated.16.08.2010 of Sri K.V.Jagadeeswara Rao presently working as CTO, Charminar and 4 others.

2.Hon'ble APAT interim orders dated.22.11.2011 in OA No.8947/2011 filed by Sri K.V.Jagadeeswara Rao, CTO and 2 others.

3.Govt. Memo No.37295/CT.I(2)/2011, dated. 26.11.2011.

4.CCTs Ref No.DX(2)/942/2011, Dated.03.12.2011.

The attention of the Commissioner of Commercial Taxes is invited to the reference 2nd cited. In OA No.8947/2011 filed by Sri K.V.Jagadeeswara Rao, CTO and 2 others the Hon'ble APAT, in its interim orders dt.22.11.2011, has directed the 1st respondent (i.e. Principal Secretary, Revenue Dept.,) to consider and pass appropriate orders on the appeal dt.16.08.2010 pending before the 1st respondent (i.e. Govt.) in terms of Memo No.263/CT.I(2)/2011, dated.29.06.2011 of the 1st respondent issued in favour of direct recruit ACTOs of Zone VI.

In the appeal petition dated.16.08.2010 Sri K.V.Jagadeeswara Rao, presently working as CTO and 4 others, who are Direct Recruit ACTOs of 1989 batch of Zone II (i.e. Vijayawada.I and Kakinada Nodal Divisions), have raised the following points in the matter of review of seniority list of ACTOs which was published in Gazette No.119, dated.25.03.2004.

a). The DR ACTOs are governed by old APCT Subordinate Service Rules issued in GO Ms.No.170, GAD, dated.30.01.1962, according to which in a cycle of 7 vacancies of ACTOs, the 2nd, 4th and 6th vacancies shall be filled up by direct recruitment, which is applicable to Direct Recruit ACTOs of 1977-78, 1985-86, and 1989-90 batches before the new APCT Subordinate Service Rules issued in GO Ms.No.81, Rev(CT.I) Dept., dated.03.02.1990 came into operation wherein 10 point roster was prescribed.

b). The DR ACTOs are also eligible for rota quota with all vacancies as (converting even temporary vacancies) substantive vacancies with effect from 1975-76.

c). The principle of rota quota and substantive vacancies may be followed in case of Direct Recruitment ACTOs on par with CTOs in terms of the orders of the Hon'ble Tribunal in OA No.702/2006, dated.29.04.2010.

The Commissioner of Commercial Taxes is informed that he has to finalize and publish the integrated seniority list of ACTOs from 1975-76 to 1991-92 of Zone II (i.e. Vijayawada.I and Kakinada nodal Division) based on certain guidelines indicated by the Hon'ble APAT in OA No.6022/2001 and batch dated.22.07.2003 which includes, inter alia, the following.

(1) Seniority of a member of service has to be fixed in terms of Rule 33 of the APS & SS Rules, i.e., with reference to the date of appointment in accordance with the rules and not with reference to the date of confirmation (full membership) after taking action in terms of rules 25 and 29 of the APS & SS Rules by placing full members as a class above the approved probationers and probationers.

(2) For counting seniority from the date of appointment, one should be appointed in accordance with the rules, for example – (a) he should have necessary qualifications and experience prescribed under the rules, (b) he should satisfy the rules of reservation if rule of reservation is applicable (c) he should have been appointed within the quota prescribed, if any, under rules and (d) the procedure prescribed, if any, for such appointment. If a person does not satisfy any of the conditions prescribed under the rules at the time of appointment his seniority has to be counted not from the date of such appointment but from the date on which he satisfied the requirement of the rules.

(3) In the case of appointment to the post of Asst. Commercial Tax Officer, where recruitment to service is both by direct recruitment and transfer, the quota meant for direct recruits/transferees should be arrived at on the following basis.

(a) In the case of direct recruits appointed prior to 08.03.83, they are entitled for appointment against 40% of substantive vacancies in the permanent cadre. After 08.03.1983 and before the new AP Commercial Tax Subordinate Service Rules came into force, they are entitled not only for 40% of the substantive vacancies in permanent cadre but also for 40% of substantive vacancies arising in temporary posts in terms of explanation to rules 6 of the APS & SS Rules. After AP Commercial Tax Subordinate Service Rules 1990 came into force they are entitled for 4 vacancies in a cycle 10 vacancies which arises in the services.

(b) In the case of transferees appointed prior to 08.03.1983 they are entitled for 60% of the vacancies in the permanent cadre and also all the vacancies that arise in temporary posts. After 08.03.1983 they are entitled for 60% of vacancies in permanent cadre, 60% of the substantive vacancies in temporary posts in terms of explanation to Rule 6 of General Rules and also all the vacancies that arise in temporary posts which cannot be treated as substantive vacancies in terms of explanation to Rule 6 of the General Rules. It is however to be noted that when temporary posts are sanctioned for the first time all the vacancies that arise in those posts would be available for transferees. But if those posts are continued beyond one year certain percentage of substantive vacancies would not be available for transferees. Therefore, transferees could be said to be appointed within his quota only if he comes within the quota meant for a transferee not only in the first year of sanction of temporary posts but also within the quota meant for transferee if the post is continued beyond one year. After the AP Commercial Tax Subordinate Service Rules, 1990 came into force, transferees would be entitled for 5 vacancies in a cycle of 10 (excluding vacancy meant for a city list candidates) which arise in the service.

(4) The vacancies referred to above for the purpose of calculation of quota does not include stopgap or fortuitous or short time vacancies like leave vacancies etc.,

According to the AP CT Subordinate Service Rules the method of appointment to the post of ACTO is (i) By Direct Recruitment (DR) and (ii) By appointment by transfer (R.P). The ratio (quota-rota) between the DRs/RPs is 40 : 60.

Government have examined the appeal petition, as directed by the Hon'ble APAT, and also the integrated seniority list of ACTO in Zone II. It is observed that the preparation of panels from the year 1975-76 to 1991-92 in Vijayawada and Kakinada Nodal division is not in accordance with the orders of the Hon'ble APAT and the quota rota rule as shown below.

(i) The ACTO vacancies have to be calculated and apportioned between the Rank Promotes and Direct Recruittees, for three different spells, as detailed hereunder.

First spell for the period from 1.9.1975 up to 8.3.83;

Second spell for the period from 9.3.83 to 3.2.90

Third spell for the period beyond 3.2.90.

(i.e. AP CT Subordinate Service Rules came into force.)

During the period of first spell i.e., from 1.9.1975 to 08.03.1983, all temporary vacancies have to be allotted to RPs and substantive vacancies have to be apportioned in the ratio of 2:3 between DRs and Rank Promotees.

During the second spell i.e. from 09.03.1983 to 03.02.1990, the temporary vacancies have to be apportioned between Rank Promotees and Direct Recruittees following the formula indicated in the APAT orders in OA No.6022/2001, dated.22.07.2003, as stated above and instructions issued by the Govt. in this regard vide memo No.1967/CT.I(2)/2001-9, dated.18.09.2003.

During the third spell, i.e. beyond 03.02.1990 a 10 point cycle has to be followed as given below.

First Vacancy	Direct Recruitment.
Second Vacancy ...	By Transfer
Third Vacancy	By Transfer
Fourth Vacancy ...	Direct Recruitment
Fifth Vacancy....	By Transfer
Six Vacancy....	Direct Recruitment
Seventh Vacancy ...	By Transfer
Eighth Vacancy	By Transfer
Ninth Vacancy ...	Direct Recruitment
Tenth Vacancy....	By Transfer

It is apparent from the A.P.Gazetee No.119, dated. 25.03.2004 that the calculation of vacancies and the application of rota-quota rule has not been properly done.

(ii) It is observed from A.P.Gazette No.119, Dated.25.03.2004 that more number of rank promotees have been accommodated in some panels viz., 1975-76, 1976-77, 1982-83, 1983-84, 1985-86, 1987-88 and 1988-89 for

Vijayawada. I Division and for 1975-76, 1976-77, 1977-78, 1978-79, 1982-83, 1983-84, 1986-87, 1987-88, 1988-89 and 1989-90 in respect of Kakinada Division; than the slots actually available for them as per the rota-quota rule applicable to the respective year. This needs rectification in terms of clause(i) above.

(iii) The actual/notional date of joining shall be the criteria to assign inter-se seniority among the RPs and DRs who occupy the slots meant for them as per the rota- quota rule. This is in terms of rule 33(a) of APS & SS Rules.

(iv) If the vacancies meant for either DRs or RPs, as per quota-rota rule, could not be filled up in a particular panel year by the respective category the same shall be carried forward to the next panel year and filled up with the eligible candidates from the same category as per the rules in force.

(v) If the RPs are appointed against temporary (non-substantive) vacancies, they should be relegated to the subsequent panel years until they are accommodated in their own quota of substantive vacancies.

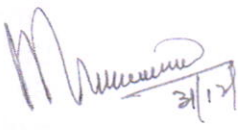
Since the details regarding the panel year wise number of vacancies in substantive/temporary posts are available with the Commissioner of Commercial Taxes the case is remitted to him with instructions to scrutinize the panels of ACTOs of Zone II (i.e. Vijayawada.I and Kakinada Nodal Division) prepared and published in the A.P. Gazette No.119, dated.25.03.2004, on the above mentioned lines and rectify the defects pointed out above duly pushing down the Rank Promotees, if any, who are in excess of the quota allotted to them, as per the rota-quota rule, below the Direct Recruit Candidates (including the applicants) who occupy their own slots.

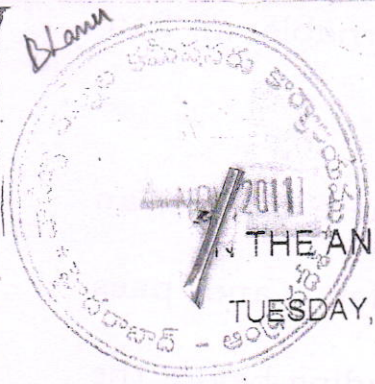
The appeal petition is accordingly disposed off.

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Commercial Taxes, Hyderabad.
The Individual through the Commissioner of Commercial Taxes, Hyderabad.
Copy to the GP for Revenue(S), APAT, Hyderabad.

// FORWARDED BY ORDER //


SECTION OFFICER



FORM NO.7

BY REGD. POST WITH ACK.DUE

IN THE ANDHRA PRADESH ADMINISTRATIVE TRIBUNAL AT HYDERABAD

TUESDAY, THE TWENTY SECOND DAY OF NOVEMBER, TWO THOUSAND ELEVEN

: PRESENT :

THE HON'BLE MR. SUDHENDER KULKARNI, MEMBER (JUDL.)
(Constituting as a Bench U/s 5(6) of the Administrative Tribunals Act, 1985)

O.A. No.8947/2011

BETWEEN:

- 1 K.V. Jagadeeswara Rao S/o Late K. Rama Murthy
Occ: Commercial Tax Officer Charminar Circle,
Charminar Division, Nampally, Hyderabad.
- 2 K. Sobhana Chalam S/o Late K. Veeranna,
Occ : Commercial Tax Officer, Srinagar Colony Circle,
Punjagutta Division, Hyderabad.
- 3 P. Manohar, S/o Late P.R.N Murthy,
Occ : Commercial Tax Officer Keesara Circle,
Saroornagar Division, Hyderabad.

.....Applicants

AND

- 1 The State of Andhra Pradesh, Rep. by its
its Principal Secretary, Revenue (CT) Department
Secretariat, Saifabad, Hyderabad. 500 022.
- 2 The Commissioner of Commercial Taxes, CCT Complex
Opp : Gandhi Bhavan, M.J. Road, Nampally, Hyderabad. 500 001
- 3 A.B. Prasada Rao, Occ : Commercial Tax Officer (Retired)
C/o. Commissioner of Commercial Taxes, CCT Complex,
Opp : Gandhi Bhavan, M.J. Road, Nampally, Hyderabad-01.
- 4 K.V.V. Gopala Krishna, Occ : Commercial Tax Officer (Retired)
C/o. Commissioner of Commercial Taxes,
CCT Complex, Opp : Gandhi Bhavan, M.J. Road,
Nampally, Hyderabad-01.

... Respondents

Upon motion this day made into this Tribunal by MR. K.S.V. SUBBA RAO, Advocate for the applicants and touching upon all the matter and contentions raised in the Memorandum of Original Application together with the decision therein, should be called for and perused.

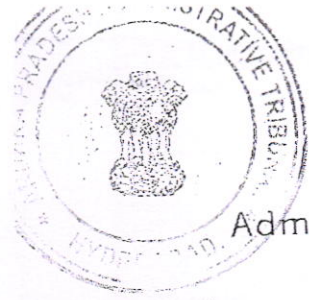
IT IS HEREBY ORDERED:

1. That you, the aforesaid Respondents do send for our use in Andhra Pradesh Administrative Tribunal at Hyderabad all and singular the said records and others with all things touching the same as fully and perfectly as they have been made by you and now remain in your custody or power together with this Rule Nisi returnable within 4 weeks.

This Original Application coming on today for orders as to admission and interim relief, upon perusing the application and the material papers filed therewith and upon hearing the arguments of MR. K.S.V. SUBBA RAO, Advocate for the applicants and G.P. for REVENUE (SER) on behalf of Respondents 1 & 2 the Tribunal made the following:

ORDER:

Contd..



Admit. Issue notice to the respondents returnable in four weeks.

Interim Relief:- Pending disposal of the OA., there shall be an interim direction to the respondents to consider and pass appropriate orders on the appeal dt. 16.8.2010 pending before the 1st respondent in terms of Memo. No. 263/CTI (2)/2011 dt. 29.6.2011 of the 1st respondent ^{issued} in favour of direct recruit ACTOs of Zone-VI.

WITNESS THE HON'BLE JUSTICE DR. G.YETHIRAJULU, CHAIRMAN,
A.P. ADMINISTRATIVE TRIBUNAL AT HYDERABAD.

Issued under my hand and the seal of the Tribunal, this the 22nd day of November, 2011.

//True Copy//

Sd/- J.NAGARAJA RAO
Assistant Registrar

V. Vijayarajamala
Assistant Registrar 22/11

- Note: 1. Copy of Original Application is enclosed herewith.
2. The receipt of this order be treated as receipt of Rule Nisi in the above mentioned O.A.

Chs

r.by:

c.by:

22/11/11

FORM NO.7

BY REGD. POST WITH ACK.DUE

IN THE ANDHRA PRADESH ADMINISTRATIVE TRIBUNAL AT HYDERABAD

JESDAY THE TWENTY SECOND DAY OF NOVEMBER TWO THOUSAND ELEVEN

: PRESENT :

THE HON'BLE MR. SUDHENDER KULKARNI, MEMBER (JUDL.)
(Constituting as a Bench U/s 5(6) of the Administrative Tribunals Act, 1985)

O.A. No.8932/2011

Between:

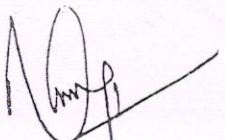
1. K. RamaRao S/o Late K. Venkaiah
Aged : about 51 years
Occ : Commercial Tax Officer
O/o Commercial Tax Officer
Punjagutta Division, Abids,
Hyderabad District
R/o Hyderabad
2. K.Chandrasekhar Rao S/o K.Chellaiah
Aged : about 51 years
Occ : Commercial Tax Officer
O/o Commercial Tax Officer
Samarangamchowk Circle, Vijayawada - I Division,
Vijayawada.
R/o Vijayawada.
3. G. Rajendra prasad, S/o G. Sita Ramaiah
Aged : about 51 years
Occ : Commercial Tax Officer
O/o Commercial Tax Officer,
N.S Road Circle, Charminar Division,
Hyderabad
R/o Hyderabad.
4. I. Venkat Rao, S/o I. Venkateshwarlu
Aged : about 55 years
Occ : Commercial Tax Officer
O/o Commercial Tax Officer,
Marredpalli Circle, Begumpet Division,
Hyderabad
R/o Hyderabad.
5. V. Badrinath S/o VV. RamaRao
Aged : about 53 years
Occ : Commercial Tax Officer
O/o Commercial Tax Officer,
Shivalayam street Circle, Vijayawada -I Division,
Vijayawada
R/o Vijayawada.
6. E. Sudhakaraiyah, S/o E. Seshaiyah
Aged : about 53 years
Occ : Commercial Tax Officer
O/o Commercial Tax Officer,
Lord Bazaar Circle, Charminar Division,
Hyderabad
R/o Hyderabad.


कार्यदर्शक वारी पेसि

25 NOV 2011

...Applicants

And





The State of Andhra Pradesh,
Rep: by its Principal Secretary,
To Government
Revenue (CT) Department
Secretariat, Saifabad, Hyderabad. 500 022

2. The Commissioner of
Commercial Taxes,
CCT Complex
Opp : Gandhi Bhavan
M.J. Road, Nampally, Hyderabad. 500 020
3. M. DharmaRaju, S/o not known
Age : not known
Occ : Commercial Tax Officer (Retired)
O/o. Commissioner of Commercial Taxes,
CCT Complex, Opp : Gandhi Bhavan
M.J. Road, Nampally, Hyderabad. 500 001
4. N. BharatRao, S/o not known
Age : not known
Occ : Commercial Tax Officer (Retired)
O/o. Commissioner of Commercial Taxes,
CCT Complex, Opp : Gandhi Bhavan
M.J. Road, Nampally, Hyderabad. 500 001
5. S. SambashivaRao, S/o not known
Age: not known
Occ : Commercial Tax Officer (Retired)
O/o. Commissioner of Commercial Taxes,
CCT Complex, Opp : Gandhi Bhavan
M.J. Road, Nampally, Hyderabad. 500 001
6. S. Nagaraja shekar, S/o not known
Age: not known
Occ : Commercial Tax Officer (Retired)
O/o. Commissioner of Commercial Taxes,
CCT Complex, Opp : Gandhi Bhavan
M.J. Road, Nampally, Hyderabad. 500 001

... Respondents

O.A.No. 8932/2011

Admit. Issue notice to the respondents returnable in four weeks.

Interim Relief:- Pending disposal of the OA., there shall be an interim direction to the respondents to consider and pass appropriate orders on the appeal dt. 16.8.2010 pending before the 1st respondent in terms of Memo. No. 263/CTI (2)/2011 dt. 29.6.2011 of the 1st respondent ^{issued} in favour of direct recruit ACTOs of Zone-VI.

WITNESS THE HON'BLE JUSTICE DR. G.YETHIRAJULU, CHAIRMAN,
A.P. ADMINISTRATIVE TRIBUNAL AT HYDERABAD.

Issued under my hand and the seal of the Tribunal, this the 22nd day of November, 2011.

//True Copy//

Sd/- P.MARUTHI KIRAN
Assistant Registrar

V. Vijayarajulu
Assistant Registrar 22/11

Note: 1. Copy of Original Application is enclosed herewith.
2. The receipt of this order be treated as receipt of Rule Nisi in the above mentioned O.A.

Chs

r.by:

c.by:



5



-: 2 :-

Upon motion this day made into this Tribunal by MR. K.S.V. SUBBA RAO, Advocate for the applicants and touching upon all the matter and contentions raised in the Memorandum of Original Application together with the decision therein, should be called for and perused.

IT IS HEREBY ORDERED:

1. That you, the aforesaid Respondents do send for our use in Andhra Pradesh Administrative Tribunal at Hyderabad all and singular the said records and others with all things touching the same as fully and perfectly as they have been made by you and now remain in your custody or power together with this Rule Nisi returnable within 4 weeks.

This Original Application coming on today for orders as to admission and interim relief, upon perusing the application and the material papers filed therewith and upon hearing the arguments of MR. K.S.V. SUBBA RAO, Advocate for the applicants and G.P. for REVENUE (SER) on behalf of Respondents 1 & 2, the Tribunal made the following:

ORDER:

Contd....