

**CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH, HYDERABAD**

**OA/21/505/2014  
OA/20/312/2014  
OA/20/503/2014  
OA/20/504/2014  
OA/20/1144/2014**

HYDERABAD, this the 21<sup>ST</sup> DAY OF JANUARY 2020

**Hon'ble Mr. ASHISH KALIA, MEMBER (J)**

**Hon'ble Mr. B.V. SUDHAKAR, MEMBER (A)**

**OA/21/505/2014**



1. A.RAMAKRISHNA,  
S/o,. Appa Rao, aged 45 years  
R/o D.No. 14-21-76, Sanjeevi Colony  
B.C.Road, New Gajuwaka,  
Visakhapatnam 26
2. Bara Srinu  
S/o Appala Naidu, aged 39 years  
R/o D.No. 37-14-20, Manikyamba Colony  
Industrial Estate Post, Visakhapatnam 07
3. Sarvasuddi Appala Raju, s/o Appa Rao, aged 45 years  
R/o D.No. 1-6-20, Akki Reddypalem, BHPV (Post)  
Visakhapatnam 12
4. R.V.N. Satyanarayana, s/o Nookaraju, aged 41 years  
r/o D.No. 3-49, Poosarla Street  
Kasimkota, Visakhapatnam 11
5. Simma Venkata Rao, s/o Simma Apparao, aged 40 years  
r/o D.No. 6-6/1, Ashok Park,  
Kancherlapalem, Visakhapatnam 27
6. Chukka Narsinga Rao, s/o Ramu, aged 38 years  
r/o D.No. 1-40, Baji Junction, Reddy Street  
Gopalapatnam, Visakhapatnam 27
7. Dirgumarthi Prasada Rao, s/o Appa Rao, aged 41 years  
r/o D.No. 38-4-50, Maharani Veedi,  
Marripalem, Visakhapatnam 08

8. Yalamanchili Kanakeswara Rao, s/o Durga Rao, aged 40 years, r/o D.No. 5-7-5, Gokulanagar Kancherlapalem, Visakhapatnam 08
9. C.H.R.S. Srinivas, s/o Appa Rao, aged 41 years r/o D.No. 1-51, Bajijunction, Reddy Street r/o Gopalapatnam, Visakahaptnam 27
10. Kari Ramu, s/o Musalaiah, aged 41 years r/o D.No. 36-53-22, Kotaveedi Kancherlapalem, Visakhapatnam 08
11. V.V.S. Kumar, s/o Ramana, aged 39 years r/o D.No. 19-15-03, Chandra Nagar Gopalapatnam, Visakhapatnam 27
12. Nambaru Ramana, s/o Joji, aged 43 years r/o D.No. 1-12, Gollapalem Village Viyampeta Post, Kothavalasa Mandal, Vizianagaram Dist.
13. N.Appala Raju, s/o Suryachadra Rao, aged 43 years r/o D.No. 1-14/1, Varalaxminagar Vepagunta, Visakhapatnam 47
14. Angati Appalaraju, s/o Appa Rao, aged 44 years r/o D.No. 58-31-13/1, Sakethapuram, NAD Post, Visakhapatnam 09
15. D.Anjaneyulu, s/o Nagayya, aged 40 years r/o D.No. 1-185, Vepagunta, Visakhapatnam 47
16. D.Pardesi, s/o Paradesi, aged 46 years r/o D.No. 10-132, Chinnamushidivada P.F.Colony, Pendurthi, Visakhapatnam
17. Pala Laxmana Kumar, s/o Surya Rao, aged 45 years r/o D.No. 13-15-22, Dibbapalem, Maharanieta, Visakhapatnam 02
18. P.Sudhakar, s/o Satyanarayana, aged 40 years r/o D.No. 33-2-23/A, Karanala Veedhi Allipuram, Visakhapatnam 04

Applicants

(By advocate: Mrs. K. Uday Sri)

Vs.

01. Union of India  
Ministry of Defence, South Block, New Delhi  
Represented by its under Secretary to  
Government of India



02. Government of India  
Ministry of Personnel, Public Grievance and Pension,  
(Department of Personnel and Training)  
New Delhi 110 001, Represented by its Director

03. Directorate of Civilian Personnel  
Ministry of Defence (Navy), Integrated Headquarters  
D-II, Wing Sena Bhawan, New Delhi 110011

04. The Flag Officer Commanding-in-Chief  
Headquarters: Eastern Naval Command  
Naval Base, Visakhapatnam – 530014

05. The General Manager  
Naval Armament Depot, (NAD Post)  
Visakhapatnam –530009

06. The Base Victualling Officer  
Base Victualling Yard, Naval Base (Post)  
Visakhapatnam –530009

07. Chief of the Naval Staff, Integrated Headquarters  
Ministry of Defense (Navy)  
Sena Bhavan, New Delhi - 110011



Respondents

(By advocate: Mrs. K Rajitha, Sr. CGSC)

**OA/20/312/2014**

01. Rapeti Venkata Rao  
s/o Challa Rao, aged 39 years  
r/o Qr.No. 57/11, Ashoknagar  
Kancharlapalem, Visakhapatnam 530008

02. Beri Appa Rao  
s/o Narasinga Rao, aged 44 years  
r/o D.No. 58-11-94, Old Karasa, NAD Post  
Visakhapatnam

03. Paithani Appalaraju  
s/o Pydetalli, aged 49 years  
r/o D.NO. 37-2-43, Old ITI Junction  
Visakhapatnam

04. S.Satyanaryana  
s/o Appa Rao, aged 39 years  
s/o D.No.32-32-280, S.V.P.Nagar  
Kobarithota, Visakhapatnam

05. Karri Venkata Rao  
s/o Gangayya, aged 47 years  
r/o D.No. 38-23-73, R & B Office  
NHS Road, Sriramnagar Colony  
Marripalem Post, Visakhapatnam 508018

06. Lanka Anand  
s/o Rambabu, aged 44 years  
r/o D.No. 38-4-62/1, Maharani Street  
Marripalem Post, Visakhapatnam 508018

07. Md. Yaseen  
s/o S.K. Mohammed, aged 47 years  
r/o D.No. 38-1-26/1, Muslim Street  
Marripalem Post, Visakhapatnam 508018

08. K.M. Naidu  
s/o Jogga Rao, aged 39 years  
r/o D.NO. 58-32-58-36, Asianipalem Post  
Visakhapatnam

09. S.Chinna Rao  
s/o Apparao, aged 46 years  
r/o D.No.15-93/1, Lakshminagar  
E.Block, Gopalapatnam,  
Visakhapatnam 508027

10. Vammi Srinivasa Rao  
s/o Ramu, aged 41 years  
r/o D.No.4-121, Narava Village  
Gopalapatnam, Visakhapatnam 508027

11. Jetti Ramana  
s/o Musalayya, aged 47 years  
r/o D.No. 1-124, Jerripothulapalem  
Pendurthi, Chinatagatla Post  
Visakhapatnam

12. Komati Appala Naidu  
s/o Ramulu, aged 45 years  
r/o D.NO. 1-117, Pedanarava Post  
Gopalapatnam, Visakhapatnam 508027

.. Applicants

(By advocate: Mrs. K. Uday Sri)

Vs.

01. Union of India  
Ministry of Defence, South Block, New Delhi  
Represented by its under Secretary to  
Government of India

02. Government of India  
Ministry of Personnel, Public Grievance and Pension,  
(Department of Personnel and Training)  
New Delhi 110 001, Represented by its Director

03. Directorate of Civilian Personnel  
Ministry of Defence (Navy), Integrated Headquarters  
D-II, Wing Sena Bhawan, New Delhi 110011

04. The Flag Officer Commanding-in-Chief  
Headquarters: Eastern Naval Command  
Naval Base, Visakhapatnam – 530014

05. The General Manager  
Naval Armament Depot, (NAD Post)  
Visakhapatnam –530009

06. The Base Victualling Officer  
Base Victualling Yard, Naval Base (Post)  
Visakhapatnam –530009

07. Chief of the Naval Staff, Integrated Headquarters  
Ministry of Defense (Navy)  
Sena Bhavan, New Delhi - 110011



.. Respondents

(By advocate: Mrs. B Gayatri Varma, Sr.PC for CG)

**OA/20/503/2014**

01. Budidha Srinu,  
s/o Sri Ramulu, aged 43 years  
r/o D.No. 38-31-94, Sriharsha Nagar  
Marripalem, Visakhapatnam 18

2. Killani Srinivas  
s/o Satyanarayana, aged 43 years  
r/o D.No. 38-96-72/1, Siva Nagar  
Marripalem, Visakhapatnam 18

3. C.H. Kanaka Raju  
s/o Simhachalam, aged 43 years  
r/o D.No. 16-114, Old Gopalapatnam  
Chettibalaji Veedhi, Visakhapatnam 27

4. G.Siva  
s/o somaraju, aged 40 years  
r/o D.No. 15-96, Laxminagar, "F" Block  
Gopalapatnam, Visakhapatnam 27

5. Abdul Moheed  
s/o Shaik Fareed, aged 44 years  
r/o D.No. 24-27-58/1, Rama Cowal,  
Old Post Office, Kotha Veedi,  
Visakhapatnam 18

6. Karanam Srinivasa Rao  
s/o Malalaxmi, aged 46 years  
r/o D.No. 5-53, Srinubabanagar  
Gopalapatnam, Visakhapatnam 27

7. Pydada Srinu  
s/o Pydiraju, aged 41 years  
r/o D.No. 55-3-75, Nehru Nagar  
Malkapuram, Visakhapatnam

8. N.Prakasa Rao  
s/o Pakeer, aged 47 years  
r/o D.No. 56-26-1, Golla Kanchara Palem  
Near Netaji Club, Bangarayya Street  
Kancherlapalem, Visakhapatnam

9. Tumpala Srinivasa Rao  
s/o Demudu, aged 38 years  
r/o D.No. 19-62, Chandranagar  
Gopalapatnam, Visakhapatnam 27

10. Kandipilli Srinivasa Rao  
s/o Tatarao, aged 40 years  
r/o D.No. 33-36-50, Ramana Colony  
Marripalem, Visakhapatnam

11. P.Balakrishna  
s/o Pyditalli, aged 51 years  
r/o D.No. 5-60, Laxmipuram  
Chintala Agraharam  
Viva Vepaguta, Visakhapatnam 47

12. Kalivarapu Srinivasa Rao  
s/o Krishna, aged 42 years  
r/o D.No. 58-12-177, Durgapuram  
NAD Post, Visakhapatnam 09

.. Applicants

(By advocate: Mrs. K. Uday Sri)

Vs.

01. Union of India  
Ministry of Defence, South Block, New Delhi  
Represented by its under Secretary to  
Government of India



02. Government of India  
Ministry of Personnel, Public Grievance and Pension,  
(Department of Personnel and Training)  
New Delhi 110 001, Represented by its Director

03. Directorate of Civilian Personnel  
Ministry of Defence (Navy), Integrated Headquarters  
D-II, Wing Sena Bhawan, New Delhi 110011

04. The Flag Officer Commanding-in-Chief  
Headquarters: Eastern Naval Command  
Naval Base, Visakhapatnam – 530014

05. The General Manager  
Naval Armament Depot, (NAD Post)  
Visakhapatnam –530009

06. The Base Victualling Officer  
Base Victualling Yard, Naval Base (Post)  
Visakhapatnam –530009

07. Chief of the Naval Staff, Integrated Headquarters  
Ministry of Defense (Navy)  
Sena Bhavan, New Delhi - 110011



.. Respondents

(By advocate: Mrs. L Pranathi Reddy, Addl.CGSC)

**OA/20/504/2014**

01. Yerra Sankara Rao  
s/o Thatha Rao, aged 40 years  
r/o D.No. 38-1-2/2, Srinivasa Street  
Marripalem, Visakhapatnam

02. K.Demudu  
s/o Somusatty, aged 29 years  
r/o D.No. 19-231, Ration Depot Veedi  
Chandranagar, Gopalapatnam  
Visakhapatnam 27

03. A.V.Someswara Rao  
s/o Swamy Babu, 42 years  
c/o G.Padmavathi, r/o D.No. 10-118/1,  
P.F. Colony, Chinna Musidivada  
Visakhapatnam

04. Y.Srinivasa Rao  
s/o Veerswamy, aged 42 years  
r/o D.No. 36-94-289/1  
Pedakothuru, Kancherlapalem, NH-5  
Visakhapatnam 08

05. P.Kannarao  
s/o Bangaraiah, aged 45 years  
r/o D.No. 58-12-83/1, Durgapuram  
NAD Post, Visakhapatnam 09

06. Md. Hydarali  
s/o Mustafa, aged 39 years  
r/o D.No. 38-1-26, Muslim Street  
Marripalem, Visakhapatnam 18

07. Madaka Appalaraju  
s/o Appanna, aged 47 years  
r/o D.No. 2/44, Purushottapuram  
Pendurthi, Visakhapatnam

08. Sarakapu Venkat Ramana  
s/o Chinna Appa Rao, aged 42 years  
r/o D.No. 67-7-34, Sriharipuram  
Malkapuram Post, Visakhapatnam 11

09. Chukka Raju  
s/o Satyanarayana, aged 42 years  
r/o D.No. 4-155/A, B.C. Colony  
Vepaguta (Post), Pendurthi  
Visakhapatnam

10. N.V.V.Satyanarayana  
s/o Nookaraju, aged 42 years  
r/o D.No. 376, MIG (C2)  
Venkatadrinagar, Pendurthi  
Visakhapatnam 51

11. Tayya Krishna  
s/o Guruvulu, aged 41 years  
r/o D.No. 58-29-19, Vinodnagar,  
NAD Post, Visakhapatnam

12. Ch. Siva Rao  
s/o Tata Rao, aged 44 years  
r/o D.No. 38-1-6/2, Maharani Street  
Marripalem, Visakhapatnam

13. K.Bhaskara Rao  
s/o Sannibabu, aged 42 years  
r/o D.No. 33-38-107,  
Marripalem, Narendranagar  
Visakhapatnam

14. R.Ramana  
s/o Appala Narasamma, aged 43 years  
r/o D.No. 16-41, S.C. Colony  
Gopalapatnam (Old)  
Visakhapatnam 27





15. I.V.G. Krishna  
s/o Appa Rao, aged 40 years  
r/o D.No. 10-195, Indranagar  
Gopalapatnam, Visakhapatnam

16. S. Tataji  
s/o Venkata Ramana, aged 39 years  
r/o D.No. 38-36-33, Sivanagar  
Marripalem, Visakhapatnam

17. M.Ravi Kumar  
s/o Papa Rao, aged 40 years  
r/o D.No.2-27-10/1  
Mindi Post, BHPV Via  
Visakhapatnam 12

18. Kanchipati Srinivasa Rao  
s/o Naidu, aged 48 years  
r/o D.No. 8-60, Kamparapalem Colony  
R.R.V.Puram Post, Gopalapatnam  
Visakhapatnam

19. Gandreddi Sreenivasa Rao  
s/o Mahalakshma, aged 41 years  
r/o D.No. 2-29, Pedanarava Post  
Gopalapatnam, Visakhapatnam -27

20. Gandreddi Appa Rao  
s/o Ramulu, aged 46 years  
D.No. 1-45, Narva Village  
Gopalapatnam, Visakhapatnam -27

21. Ganreddi Sankara Rao  
s/o Reeramulu, aged 50 years  
D.No. 7-103, Pedanarava Post  
Gopalapatnam, Visakhapatnam -27

22. Ganreddi Narasinga Rao  
s/o Ramunaidu, aged 44 years  
r/o D.No. 4-164, Pedanarava Post  
Gopalapatnam, Visakhapatnam -27

23. Kanchipati Sankara Rao  
s/o Naidu, aged 52 years  
r/o D.No. 8-75, Kanparapalem Colony  
R.R.Puram Post, Visakhapatnam

.. Applicants

(By advocate: Mrs. K. Uday Sri)

Vs.

01. Union of India  
Ministry of Defence, South Block, New Delhi  
Represented by its under Secretary to  
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02. Government of India  
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03. Directorate of Civilian Personnel  
Ministry of Defence (Navy), Integrated Headquarters  
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04. The Flag Officer Commanding-in-Chief  
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Visakhapatnam –530009
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Base Victualling Yard, Naval Base (Post)  
Visakhapatnam –530009
07. Chief of the Naval Staff, Integrated Headquarters  
Ministry of Defense (Navy)  
Sena Bhavan, New Delhi - 110011



.. Respondents

(By advocate: K Venkateswarlu, Addl.CGSC)

**OA/20/1144/2014**

1. K.Veeraju, s/o Late K.Marini Raju, aged 40  
r/o D.No. 16-9-9, Kotta Jalaripeta, Visakhapatnam 530001
2. Pithana Surya Prakash, s/o Late P.Patrudu, aged 37 years  
r/o D.No. 25-12-89/1, Padmanagar  
Opp. M.U.D.M. High School, Viskhapatnam 530001
3. Kotni Srinubabu, s/o Late K.Suri, aged 38 years  
r/o D.No. 4-8, Old Kothavalasa, (Village), Kothavalasa Mandal  
Vizianagaram District 535183
4. Bandi Dalinaidu, s/o Late B.Bangarayya, aged about 36 years  
r/o D.No. 44-45-40/142, Plot No.151, Venkateswara Colony,  
T.C.Palem  
Viskhapatnam

5. Vallabhadasu Satyanarayana Ramesh  
s/o Late V.Madhavrao, aged about 49 years  
r/o Sanjeevayya Colony, T.C.Palem, Kancharapalem (Post)  
Visakhapatnam
6. Chintapalli Venkateswara Rao  
s/o Late Ch. Nookaraju, aged about 39 years  
r/o D.No. 16-38-17/3, Kothajalaripet, Visakhapatnam 530001
07. Reesu Chinnarao  
s/o Late R.Apparao, aged 45 years, r/o D.No.37-13-189  
Burma Colony, Nehrunagar, Visakhapatnam 530007
08. Ansar Ali, s/o Late Mushtafa, aged 34 years  
r/o Islampeta, Vadalapudi, Visakhapatnam 530007
09. O.V.Nagaraju, s/o O.V. Apparao, aged 31 years  
r/o Sattivanipalem, Jaggayyapalem Post, Visakhapatnam 5300012
10. K.Narasinga Rao, s/o K.Korlayya, aged 37 years  
r/o D.No. 20-10-28, Paidorapeta, Near Gandhi Statue  
Visakhapatnam 530001
11. Guri Yerrayamma, s/o Late G.Sanyasi, aged 51 years  
r/o D.No. 1-88, Mogalipuram Village  
M.Naidupalem Post, Sabbavaram Mandal, Visakhapatnam 530035
12. Pillala Apparao, s/o Late P.Yallayya, aged 41 years  
r/o D.No. 2-42, Rayapura Agraharam, Shiwaru,  
Rayapura Agraharam Colony, Sabbavaram Manda, Visakhapatnam
13. Kolli Appa Rao, s/o Late K.Apparao, aged 42 years  
r/o D.No. 6-31, Sathivanipalem  
Juggayyapalem Post, Via BHPV Mandal, Visakhapatnam 5300012
14. Subbarao Appu Apparao, s/o Late S.Demudu, aged 40 years  
r/o D.No.44-7-1/135, Tharam Raoarao Colony  
Thatha Chetty Colony, Visakhapatnam
15. Kornala Swarnakala, s/o K.Venkatarao, aged 51 years  
r/o D.No. 10-51-53, Nehrunagar, EWS Quarters  $\frac{3}{4}$ ,  
Visakhapatnam
16. Siram Appalaraju, s/o S.Apparao, aged 33 years  
r/o No. 23-29-14/1, Sultalipet, One Town Police Station  
Visakhapatnam 530001
17. Gompa Sanyasama, w/o G.Sayasiarao, aged 55 years  
r/o D.No. 2-22, B.C. Coony, Vedullanarava Village Post  
VSEZ.50, Sabbavaram Mandal, Visakhapatnam 530049
18. Peethala Srinu, s/o P.Eswar Rao, aged 41 years  
r/o D.No. 13-4-8, B.R.Pet, Visakhapatnam 530002



19. Kandipilli Sridhar, s/o Late K.Bhooloka, aged 32 years  
r/o D.No. 4-11-814/1, Settibalji Street ,Pedda Waltair,  
Visakhapatnam 530017
20. Dadi Narasimha Murty, s/o Late D.Apparao, aged 39 years  
r/o D.No. 57-24-59, Tummadhapalem  
Kancharlapalem, Visakhapatnam 530008
21. N.Appalaraju, s/o Late N.Narasinga Rao, aged 35 years  
r/o D.No. 63-1-77, Burma Colony  
Sriharipuram, Mlkapuram, Visakhapatnam 530011
22. Seeram Rajkumar, s/o Late S.Pydiraju, aged 35 years  
r/o D.No. 13-17-9, Dibbaipalem  
Maharanipet, Visakhapatnam 530002
23. Laveti Santhosh Sankar Kumar, s/o Late L.Subramanyam,  
aged 32 years, r/o D.No. 37-13-174, Burma Colony  
Nehrunagar, Visakhapatnam 530007
24. Varadi Suri Babu, s/o V.Narasayya, aged 28 years  
r/o D.No. 28-18/1, Kanthi R.K. Colony, Vadalapudi Post  
Visakhapatnam 530046
25. Penta Nookaraju, s/o P.Simhachalam, aged 40 years  
r/o D.No. 2-40-61/53, Anjayyanagar, MUP Sector -6  
Visakhapatnam 530017
26. Gavara Srinivasa Rao, s/o G.Demudu, aged 37 years  
r/o D.No 1-92, Narava Gopalapatnam Post  
Visakhapatnam 530017
27. Gudla Suryanarayana Reddy, s/o Late G.Ramulu, aged 36  
years  
r/o D.No. 1-41, Narava Gopalapatnam  
Salipet, Ward o.7, Visakhapatnam 530027
28. Bondala Venkatappa Rao, s/o Late B.Pothuraju, aged 35 years  
r/o D.No. 44-45-40/198, Venkateswara Colony  
Thatichettupalem, Visakhapatnam
29. Peddada Ramana, s/o Late P.Apparao, aged 35 years  
r/o D.No. 59-20-20, Harijana Street  
Malkapuram, Visakhapatnam 530011
30. Bumuri Appala Ramana, s/o Late B.Sanyasi, aged 43 years  
r/o D.No. 6-582, S.C. Colony, Dairy Farm Post, Pedagalla  
Visakhapatnam 530040
31. Yenneti Kanaka Srinivasa Rao, s/o Late Y.Sriramulu,  
aged 34 years, r/o D.No.5-13-30/2, Thunglam, BHPV Pst  
Visakhapatnam 530012



32. Kavali Veeraju, s/o Late K. Somulu, aged 38 years  
r/o D.No. 2-23-24, Paindorapet, Kothajalaripet  
Visakhapatnam 530001

33. Kanchu Boina Bangaraju, s/o Late K.Apparao, aged 34 years  
r/o 27-81, Appanapalem, Vepagunta, Pendurthi,  
Visakhapatnam 530047

34. Kadu Bhaskar, s/o Late K.Apparao, aged 34 years  
r/o D.No. 8-135, Varalakshminagar  
Vepagunta, Pendurthi Post, Visakhapatnam 530047

35. Badam Madhu, s/o Late B.G. Rao, aged 39 years  
r/o D.No.33-27-11/1, Dhobi Street  
Allipuram, Visakhapatnam 530004

36. Devadula Ravi, s/o Late D.Sankara Rao, aged 34 years  
r/o D.No. 5-28, Narava Gopalapatnam  
Pendurthi Mandal, Visakhapatnam 530027

37. Pudi Apparao, s/o Late P.Sathiraju, aged 32 years  
r/o D.No. 14-77, Indhiranagar, Gopalapatnam,  
Visakhapatnam 530027

38. Gottipallivernerrada Venugopala Kishire Kumar  
s/o Late G.Satyanarayana, aged 34 years,  
r/o D.No. 12-76, Lakshminagar, Gopalapatnam,  
Visakhapatnam 530027

39. Barri Ravi, s/o B.Polarao, aged 34 years  
r/o D.No. 64-23-25, Sriharipuram (Down)  
Gullalapalem, Malkapuram Post, Visakhapatnam 530011

40. Prasngi Sankara Rao, s/o P.Mahalakshmi, aged 38 years  
r/o D.No. 64-20/1, Mallkapuram Post, Visakhapatnam 530011

41. Mamidi Srinivasa Rao, s/o Apparao, aged 40 years  
r/o D.No. 71-31-1655/A, Jayanra Colony  
Gandhinagar Post, Visakhapatnam 530005

42. Chiydri Trinadha Swamy, s/o Ch. Apparao, aged 34 years  
r/o D.No.12-42/4, Lakshminagar, Gopalapatnam,  
Visakhapatnam 500027

43. Devadula Srinivasa Rao, s/o D.Nanaji, aged  
r/o D.No. 3-107, Narava Gopalapatnam, Visakhapatnam 530027

44. Karakani Raju, s/o K.Sanyasi Rao, aged 33 years  
r/o D.No. 1-42, Ambedkar Nagar, Old Adavivaram, Simhachalam  
Visakhapatnam 530028



45. Dasari Narasinga Rao, s/o D.Nookaraju, aged 36 years  
r/o D.No. 10-22-15, Pethani Street  
Maharanipet, Visakhapatnam 530002

46. Ganthakoru Satyaraju, s/o G.Malalakshmi, aged  
r/o D.No. 6-64/1, Narvava  
Gopalapatnam, Visakhapatnam 530027

.. Applicants

(By advocate: Mrs. K. Uday Sri)

Vs.

01. Union of India  
Ministry of Defence, South Block, New Delhi  
Represented by its under Secretary to  
Government of India

02. Government of India  
Ministry of Personnel, Public Grievance and Pension,  
(Department of Personnel and Training)  
New Delhi 110 001, Represented by its Director

03. Directorate of Civilian Personnel  
Ministry of Defence (Navy), Integrated Headquarters  
D-II, Wing Sena Bhawan, New Delhi 110011

04. The Flag Officer Commanding-in-Chief  
Headquarters: Eastern Naval Command  
Naval Base, Visakhapatnam – 530014

5. Admiral Superintendent  
Government of India, Ministry of Defence  
42, Building Naval Dockyard, Visakhapatnam –530014

06. Chief of the Naval Staff, Integrated Headquarters  
Ministry of Naval, Sena Bhawvan, New Delhi 1, 0011

Respondents

(By advocate Mrs. B. Gayatri Varma, Sr.PC for CG)



**ORAL ORDER**

PER HON'BLE Mr. **ASHISH KALIA, MEMBER (J)**

Since the issue involved in the O.As is similar, they are disposed of with common order.

2. Present Original Applications were filed under section 19 of the Administrative Tribunals Act, 1985 praying for the following relief(s):



“ (i) To declare the proceedings No.CP(NG)/5121/Regularisation dated 19.09.2013 issued by the Directorate of Civilian Personnel, respondent No.3, in rejecting the recommendations made by the 4<sup>th</sup> respondent herein for regularization of temporary casuals one time-time basis of the applicants;

(II) Declare that the applicants are entitled to be regularized on one-time basis in terms of judgment of Hon'ble Supreme Court dated 10.04.2006 as non-die clause which was reiterated and clarified by the Hon'ble Supreme Court vide judgment dated 3.8.2010 in State of Karnataka vs. M.K.Kesari and others.

(III) Declare that applicants are entitled to be continued without any break in service till their services are regularized by setting aside the proceedings dated 20.07.2009 issued by Eastern Naval Command, Naval Base, Visakhapatnam, 4<sup>th</sup> respondent herein; and

(iv) Direct the respondents 1 and 2 to issue proceedings or clarification proceedings for regularization of service of the applicants in terms of the Eastern Naval Command Naval



Base recommendations for regularization of temporary status and casual labourers with all consequential benefits.”

3. We heard Mr.P.Sudheer Rao representing Mrs. K.Uday Sri, learned counsel for the applicants and Mrs.K.Rajitha, Mrs. B.Gayatri Varma, Mrs. L.Pranathi Reddy, Mr. K.Venkateswarlu, learned standing counsel for the respondents.

4. Applicants are working with respondents since 1993-94. They have filed OAs, one after another, before this Tribunal seeking a direction to consider their case for regularization. The same has not been considered. Hence, the applicants have re-approached the Tribunal citing the judgment of Hon'ble Supreme Court in ***Secretary, State Of Karnataka and others vs Umadevi and Others (2006) 4 SCC 1 in Appeal (civil) 3595-3612 of 1999***, contending that when a person worked with respondents against a sanctioned post for more than 10 years, he may be regularised as a one time measure. But, contrary to this, learned counsel for respondents submitted that the applicants were engaged since 1993-94 onwards, but they were not working against any sanctioned post. His submission, in other words, is that the applicants were engaged through a back door entry.





5. Considering the rival contentions, we are of the view that, in view of the order passed in *Uma Devi's* case (supra), the contention of the respondents is unsustainable, for the reason that the applicants are working for the last two decades. There have to be sanctioned posts, that is why the applicants were continued to be engaged for the last two decades. It is slackness on the part of the department for not getting the sanctioned posts, so that these person could have been appointed on regular basis.

6. We hereby set-aside the impugned order dated 19.09.2013 with a direction to respondents to immediately carry out the work and study how many more posts are required and consider the case of the applicants, in terms of the judgement in *Uma Devi's* case (supra).

7. This exercise shall be completed within a period of six months from the date of receipt of this order.

8. OAs accordingly disposed of.

9. There shall be no order as to costs.

(B V SUDHAKAR)  
MEMBER (A)

(ASHISH KALIA)  
MEMBER (J)

vsn