

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-38.

Dated: 1 MAR 1994

APPLICATION NO(s) 8/94 and 197 to 206 of 1994.

APPLICANTS: M. Jagadewsha and
Ten Others.

RESPONDENTS: Director of Census Operations
in Karnataka, B'lore and Others.

TO.

1. Dr. M. S. Nagaraja, Advocate, No. 11, Second Floor,
First Cross, Sujatha Complex, Gandhinagar, B'lore-9.
2. The Director of Census Operations In Karnataka,
No. 27/1, Mission Road, Bangalore-560027.
3. Sri. M. Vasudeva Rao, Central Govt. Stng. Counsel,
High Court Building, Bangalore-1.

SUBJECT:- Forwarding of copies of the Orders passed by
the Central Administrative Tribunal, Bangalore.

-xxx-

Please find enclosed herewith a copy of the
ORDER/STAY ORDER/INTERIM ORDER/, Passed by this Tribunal
in the above mentioned application(s) on 22-02-1994.

gm*

olc
Issued on 1-3-94
Gob

E. S. S. S. S.
for DEPUTY REGISTRAR 43
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH: BANGALORE

APPLICATION NO. 8/1994 and
197 to 206/1994

TUESDAY, DATED THE 22ND DAY OF FEBRUARY, 1994.

Present: Mr. Justice P.K. Shyamsunder, Vice Chairman

Mr. T.V. Ramanan, Member(A)

1. Shri M. Jagadeesha
Aged 30 years
C/o. Ganesh Bakery
Hungsandra-Begur Road
Bangalore-560 008.
2. Shri Durgaiah
Aged 31 years
Doddakannahalli
A.K. Colony
Karamalaram Post
Bangalore-560 035.
3. Shri N. Krishnappa
Aged 32 years
Avathi Post, Koramanagala
Devanahalli Taluk
Bangalore Rural Dist. 562110
4. Shri M. Manjunatha
Aged 29 years
C/o. A. Kempaiah
Vishwanathapura
Devanahalli Taluk
Bangalore Dist.
5. Shri H. Jayaraju
Aged 34 years
H. Agadur Colony
Inmalihally Taluk
Whitefield, Bangalore-560 066.
6. Shri H.A. Krishnakumar
Aged 30 years
Hesserghatta, Bangalore. North.
7. Smt. L. Shyalaja
Aged 33 years
140, Sharada Colony
West of Chord Road
Basavesharanagar
Bangalore-560 079
8. Shri M.N. Sureshkumar
Aged 27 years
S/o. Shri M. Narayana
793, 76th 'A' Cross
Rajajinagar, Bangalore-560 010.

9. Shri Nanjundegowda
Aged 36 years
S/o. Sri Lingaiah
15, 12th 'B' Cross
Vyalikaval
Bangalore-560 003.

10. Shri Hanuma Naik
Aged 33 years
223/6, 12th Cross, 3rd Main
Wilson Garden, Bangalore-560 027.

11. Shri K.C. Ramachandraiah
Aged 33 years
S/o. Shri Channagowdaiah
790 1st Main, Vyalikaval
Bangalore-560 003.

... Applicants.

(By Advocate Dr. M.S. Nagareja)

Vs.

1. The Director of
Census Operations in Karnataka
21/1 Mission Road, Bangalore-560 027.

2. The Registrar General of India
Ministry of Home Affairs
Government of India, New Delhi.

3. Union of India
represented by Secretary to
Government of India
Ministry of Home Affairs
New Delhi.

... Respondents

(By Shri M.V. Rao, learned Standing Counsel)

O R D E R

(Mr. Justice P.K. Shyamsunder, Vice Chairman)

Heard.

Admit.

We find the controversy raised herein is
already covered by a decision of this Tribunal in O.A. 428/1992.
Therein while dismissing similar application we had told the
applicants that they must take advantage of the offer made by the
department in that the department will be taking steps to fill

up regular vacancies by making use of the employees whose services are terminated depending on reaching a target which entail removal once the target or the job need is over. The position is similar in this case also. We have no option but to follow the earlier judgement. With these observations, we dismiss this application.

2. We hope that in future if any vacancy arises which can be manned by these applicants subject to their eligibility under rules, their cases must be considered on top priority basis. It will be advisable for the department to maintain a comprehensive list of employees whose services are terminated in the manner indicated under the impugned orders. The department should not follow the policy of pick and choose instead strictly recall the candidates in accordance with their seniority reflected by the said list and appoint them in a regular fashion.

3. Dr. M.S. Nagaraja, counsel for the applicant says that the department has not appointed any physically handicapped persons at all although there is a quota. If that is so, the department should consider the case of physically handicapped persons who generally do not have avenues of appointment elsewhere.

Let a copy of this be sent to the Director for information and appropriate action. Any infraction of this direction will be taken up seriously.

TRUE COPY

E. S. S. S.
SECTION OFFICER 1/3 Sd-
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL JUDGE (T.V. RAMANAN)
BANGALORE MEMBER (A)

Sd-
(P.K. SHYAMSUNDER)
VICE CHAIRMAN