

~~IN THE HIGH COURT OF JUD~~

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH
AT HYDERABAD

Thursday THE seventh DAY OF May
ONE THOUSAND NINE HUNDRED AND EIGHTY SEVEN

: PRESENT :

THE HON'BLE MR. B. N. JAYA SIMHA: VICE-CHAIRMAN
AND
THE HON'BLE MR. D. SURYA RAO: MEMBER.

ORIGINAL APPLICATION NO. 332 of 87

BETWEEN:-

- 1) V. U. Ramana Murthy
- 2) Ramprasad Ray
- 3) R. Babu Rao

.....APPLICANTS.

AND

- 1) The Flag Officer Commanding-in-Chief Eastern Naval Command, Visakhapatnam-14
- 2) Naval Armament supply officer, Naval Armament Depot, Visakhapatnam-9.

.....RESPONDENTS.

Application under Section 19 of the Administrative Tribunals Act, 1985, praying that in the circumstances stated therein the Tribunal will be pleased to (1) declare that the applicants herein ~~to~~ are entitled to be appointed to the posts which are otherwise known as "Unskilled labour" in the Naval Armament Depot, Visakhapatnam.

(2) that their cases may be considered for such appointment forthwith and they may be appointed if they are otherwise found qualified and suitable.

COUNSEL FOR APPLICANT : MR. N. RAMAMOHANA RAO

COUNSEL FOR RESPONDENTS: MR. N.R. DEVARAJ, Addl.CGSC.

ORDERS OF THE TRIBUNAL DATED 7-5-1987

The applicants herein are Servers-cum-Vendors in the Naval Armament Depot Canteen, Visakhapatnam. They claim that they were appointed five years ago after their names were sponsored by the Employment Exchange and after a written test and also a oral test were conducted. According to Government of India, Ministry of Defence, O.M.No.F.23(4)/27/D(Accts) dated 13-6-1987, canteen employees are entitled to absorption as regular government servants subject to the following conditions :-

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" (i) The employees should have been sponsored by the Employment Exchange at the time they were employed in the Canteen.

(ii) The employees should be of canteens :-

(a) provided in the lower formations to fulfil statutory requirements of labour laws;

(b) subsidised by the Government in cash or kind; -and-

(c) run by co-operative societies or other registered societies or associations or by Managing Committees constituting of higher officers and employees.

(iii) The employees should not be over 35 years of age and should have put in at least five years of continuous service in canteen.

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• applicants to submit⁹ representations to the second respondent bringing out all the contentions that have been raised in this application and the representation so made should be disposed of by the Respondents after considering all the contentions raised therein on merits within two months from the date of receipt of such application.

4. With these directions, the application is disposed of at the time of admission itself.

B.N. Jayasimha

(B.N. JAYA SIMHA)

Vice-Chairman

D. Surya Rao

(D. SURYA RAO)

Member (Judl.)

7-5-1987.

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