

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

MON DAY THE TENTH DAY OF APRIL
ONE THOUSAND NINE HUNDRED AND EIGHTY NINE

: PRESENT :

THE HON'BLE MR. BN. JAYA SIMHA : VICE-CHAIRMAN

AND

THE HON'BLE MR. D. SURYA RAO : MEMBER (JUDL.)

AND

THE HON'BLE MR. D. K. CHAKRAVORTY : MEMBER (ADMN.)

ORIGINAL APPLICATION NO. 293 OF 1989

BETWEEN:-

A N D

- | | |
|----------------------------------|-----------------------------|
| 1) Yadaviah ✓ | 21) Yalupula Komaraviah ✓ |
| 2) Balaviah ✓ | 22) Yadagiri S/o. Pochiah ✓ |
| 3) Komaraviah ✓ | 23) Narasimha S/o. Myyiah ✓ |
| 4) Narasimha S/o. Kondiah ✓ | 24) Shankaraviah ✓ |
| 5) Narasimha ✓ | 25) Akshayiah ✓ |
| 6) B. Yadagiri ✓ | 26) D. Venkataraviah ✓ |
| 7) Anjainiah ✓ | 27) Lakshmaraviah ✓ |
| 8) Pochiah ✓ | 28) Aliuddin ✓ |
| 9) Somaviah ✓ | 29) T. Ramurthi ✓ |
| 10) Narasimha ✓ | 30) Raju ✓ |
| 11) Vazhanna ✓ | 31) Syed I. Qbal ✓ |
| 12) Buchi Komaraviah ✓ | 32) Ellaviah ✓ |
| 13) Ellaviah ✓ | 33) Botsaviah ✓ |
| 14) C. Brahmachary ✓ | 34) R. Satyanarayana ✓ |
| 15) K. Narasimha ✓ | 35) Krishnaraviah ✓ |
| 16) Yadaviah S/o. Myyiah ✓ | 36) K. Yadagiri ✓ |
| 17) M. Yadagiri ✓ | 37) K. B. K. Shapathi ✓ |
| 18) Narasimha S/o. Chandrapiah ✓ | 38) G. Venkati ✓ |
| 19) Mallaviah ✓ | 39) P. Lakshmaraviah ✓ |
| 20) Chandraviah ✓ | 40) Kola Chandraviah ✓ |
| | 41) K. Yadagiri ✓ |

AND

- 1) The Chief Personnel Officer, South Central Railway, Rail Nilayam, Secunderabad ✓
- 2) The Senior Divisional Engineer (B.G.), South Central Railway, Secunderabad ✓
- 3) The Assistant Engineer (East), South Central Railway, Secunderabad ✓
- 4) Inspector of Works (Revenue) B. G. South Central Railway, Secunderabad ✓
- 5) Divisional Railway Manager (B.G.), South Central Railway, Secunderabad ✓

Respondents.

18/4/89

This application is filed by the applicants who are all working as casual labour and who have attained the temporary status in the I.O.W.(Revenue) B.G., South Central Railway, Secunderabad. It is their grievance that for the purpose of screening and regular appointment as Khalasis, the respondents are proposing to combine three units of IOW (Revenue), Moulali; IOW (East), Secunderabad and IOW (SW) Hyderabad. It is the case of the applicants that previously when a writ petition was filed before the High Court in the year 1974, ~~xxx~~ by certain casual labours praying for reckoning the seniority division-wise on/~~unit-wise~~ basis, the stand of the department in that case that screening should take place only on the basis of the unit and not the division. The applicants contend that ~~now~~ a contrary stand ~~is~~ ^{now} is being taken by the department and the department is seeking to screen candidates by combining various units. The applicants, therefore, ~~sought~~ a direction to the respondents to screen the applicants for appointment as regular class IV on the basis of unit seniority.

~~ADMIN.~~

2. ~~We~~ ^{present} We have heard the learned counsel for the applicant and at the stage of admission of the case the learned Standing Counsel for Railways, Shri N.R. Devaraj. It is brought to our notice that the applicants made representations on 6-2-1989 to the DRM (Respondent no:5) stating that pooling of seniority of casual labour of three units is totally ~~wrong~~ wrong, and seeking maintenance of unit-wise seniority for the purpose of regularisation. ~~Admittedly~~ ^{representation} Admittedly, this ~~application~~ ^{representation} is yet to be disposed of. The ~~application~~ ^{present} ~~before us~~ ^{case} can ^{therefore} be disposed of with a direction that the DRM (R-5) should dispose of the ~~w~~ representation of the applicants dated 6-2-1989 within

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202

6). One copy to Mr. P. Krishna Reddy, Advealti,
3-5-899, Himayatnagar, Hyderabad ✓

7). One copy to Mr. N.R. Devaraj, SE for Railways,
Hyderabad ✓

8). One copy to Hon'ble Mr. D.K. Chakravorty, Member (Admin.)
CAF, Hyd ✓

9). One spare copy ✓

5/5/89
D.K.
11/4/89

Done
13/4/89

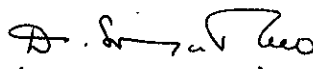
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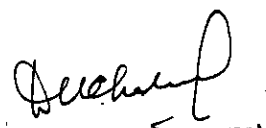
three weeks from the date of receipt of this order.

In the mean while, the respondents may go on with screening of candidates as contemplated, but shall not release the list of selected candidates till the disposal of the representation dated 6-2-1989 of the applicants.

3. With the above directions, the application is finally disposed of. There will be no order as to costs.

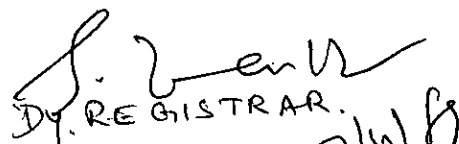
(dictated in open court)


(D. SURYA RAO)
Member (J)


(D.K. CHAKRAVORTHY)
Member (A)

10th April, 1989.

RSR°


DY. REGISTRAR.
17/4/89

TO,

- 1) The Chief Personnel Officer, South Central Railway, Rail Nilayam, Secunderabad ✓
- 2) The Senior Divisional Engineer (B.G.), South Central Railway, Secunderabad ✓
- 3) The Assistant Engineer (East), South Central Railway Secunderabad ✓
- 4) Inspector of Works (Revenue) B.G., South Central Railway Secunderabad ✓
- 5) Divisional Railway Manager (B.G.), South Central Railway, Secunderabad ✓

P.T.O.

(3)

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CAM 14/4/89
19.4.89

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERA-BAD BENCH

HON'BLE MR. B.N. JAYA SIMHA : (J.C.)

AND

HON'BLE MR. D. SURYA RAO : (M) (JUDL.)

AND

HON'BLE MR. D.K. CHAKRAVORTY : (M) (ADMN)

DATED : 10.4.89 ✓

ORDER/JUDGMENT

T.A./O.A. 293/89 ✓
(W.P.)

Disposed of with directions.

no costs. ✓

Central Administrative Tribunal
DESPATCH
20 APR 1989
HYDERABAD BENCH.

14/4/89