

(32)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No. 436 of 1989

Date of order: 3-12-1992.

Between

1. Union of India, rep. by the
General Manager, South Eastern Rly.,
Garden Reach, Calcutta.
2. The Divisional Railway Manager,
S.E.Rly., Visakhapatnam.

... APPLICANTS

A N D

1. T.Satyam

2. The Labour Court, Visakhapatnam,
rep. by its Presiding Officer.

... RESPONDENTS

Appearance:

For the applicants : Shri N.R.Devaraj, SC for Rlys.
For the Respondent No.1 : Shri K.V.S.Bhaskar Rao, Advocate
For the Respondent No.2 : Shri D.Panduranga Reddy, Special
Counsel for the State of A.P.

CORAM:

The Hon'ble Shri C.J.Roy, Member (Judicial)

J U D G M E N T

This is an application filed by the General Manager South Eastern Railway, Calcutta and another against the order of the Labour Court, Visakhapatnam dated 9-9-88 in C.M.P.No. 273 /86 filed by the 1st Respondent herein.

2. The undisputed facts of the case are: The 1st Respondent herein, a trolleyman working under Permanent Way Insp., S.E.Rly. at Srikakulam Road had filed CMP No. 273/86

contd...2.

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To

1. The General Manager, Union of India,
S.E.Railway, Garden Reach, Calcutta.
2. The Divisional Railway Manager, S.E.Rly, Visakhapatnam.
3. The Presiding Officer, Labour Court, visakhapatnam.
4. One copy to Mr.N.R.Devraj, SC for Rlys, CAT.Hyd.
5. One copy to Mr.K.V.S.Bhaskar Rao, Advocate, CAT.Hyd.
6. One copy to Mr.D.Panduranga Reddy, Spl.Counsel for A.P.Govt.CAT.Hyd.
7. One spare copy.

pvm.

*Letting
pass 2/1*

cc:

to perform duty for only 60 hours a week and allowed the C.M.P.

3. Aggrieved by the said Labour Court's order, the Railways have filed the present O.A. before this Tribunal. The Respondent No.1 here had filed a written statement by post. The case was originally disposed of on 19-9-89 after hearing the learned counsel for the applicant and after considering the counter of the Respondent No.1 and other material on file. At that time neither the Respondent No.1 had appeared and argued his case nor did he engage any counsel on his behalf. However, after the disposal of the O.A. on 19-9-89, the Respondent No.1 filed M.A.No. 192/90 through his counsel for setting aside the ex-parte order dated 19-9-89 and to restore the O.A. to file. By an order of this Tribunal dated 12-6-90, the said M.A. 192/90 was allowed, the ex-parte judgment dated 19-9-89 was set aside and the O.A. was restored to file. After restoration, the case was again taken up and heard the arguments of the learned Standing Counsel for the Railways (applicants herein) Shri N.R.Devaraj and Shri K.V.S.Bhaskar Rao learned counsel for the Respondent No.1.

4. Today, I have disposed of O.A.No.432/89 by an elaborate order. The facts and circumstances of the present case are similar to those in O.A.No.432/89. Hence, following the analogy set in O.A.No.432/89, the present O.A. too is allowed with no order as to costs.

Wm
(C.J.Roy),
Member/Judl.

Dated: 3rd day of December, 1992.

mhb/

8/10/92
Deputy Registrar (5)