

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA 558/90.

Date of Judgment: 19-12-1990.

Mundrathi Shantha Ram

...Applicant

Vs.

1. Government of India,
Department of Atomic Energy,
Represented by its Administrative
Officer, Heavy Water Project,
Manuguru-507 117, Khammam District.

2. District Collector, Khammam.

3. Sub-Collector, Kothagudem,
Khammam District.

...Respondents.

Counsel for the Applicant : Shri N. Krishna Rao

Counsel for the Respondents : Shri Naram Bhasker Rao,
Addl. CGSC.

CORAM:

THE HON'BLE SHRI B.N.JAYASIMHA : VICE-CHAIRMAN

THE HON'BLE SHRI D.SURYA RAO : MEMBER (JUDICIAL)

(Judgment of the Division Bench delivered by
Hon'ble Shri D.Surya Rao, Member (J)).

The applicant herein states that his family is one among those whose lands was taken over for construction of the Project at Manugur in Khammam District. It is contended that at the time of acquisition of lands an agreement was reached between the construction Manager, Respondent No.1 project and the representatives of Land Losers on 18-3-1985, whereby Respondent No.1 agreed to provide employment for one member in each family. Consequent there to,

the applicant got registered his name with the Respondent No.1 for employment. He was called for ^a written test for the post of L.D.C. by a letter dt.19-1-1989. However, he is yet to be given an appointment, though he is eligible for the said post, the applicant seeks a direction to the respondents to provide employment in the Heavy Water Project in a suitable post on the basis of his qualifications.

2. A counter has been filed on behalf of the Respondents contending that on 18-3-1985 discussions took place, but no agreement as such entered into. It is however stated that Heavy Water Project, Manuguru agreed to consider the provision of employment to one member of the family of a land looser subject to fulfilment of eligibility and suitability of the candidates as against the availability of vacancies. Consequent there to the applicant called for written test. Prior to the test, coaching classes ^{were} ~~was~~ conducted to the persons like the applicant. Inspite of the coaching the applicant has failed to come up even to the relaxed standards in the examination and hence he is not eligible for appointment as LDC, and the applicant found suitable for the post of Helper 'B'. ~~As~~ ^{With} a large number of Casual Labours ^{engaged} ~~in~~ during the construction of the project, have approached the Industrial Tribunal and High Court for regularisation of their services. Since the matter relating to these Casual Labourers is pending the authorities have been advised not to fill-up the vacancies

To

1. The Administrative Officer,
Heavy Water Project,
Department of Automic Energy,
Government of India,
Manuguru - 507 117,
Khammam District.
2. District Collector, Khammam.
3. Sub-Collector, Kothagudem,
Khammam District.
4. One copy to Shri N. Krishna Rao, Advocate,
H. No. Block No.8, Flat No.8, M I G - II A.P.H.B.
Bhaghilingampally, Hyderabad - 500 044.
5. One copy to Shri Naram Bhaker Rao, Addl. CGSC.
6. One Spare Copy.

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of Helpers till the verdict of the Industrial Tribunal.

The case of the applicant will be considered at the appropriate time subject to the availability of the vacancies.

3. We have heard Shri C.V.Mohan Reddy, Advocate, representing Shri N.Krishna Rao, learned counsel for the applicant and Shri Naram Bhaskar Rao, learned standing counsel for the Respondents. It is clear from the facts stated above that the applicant has been found fit for the post of Helper 'B'. The only impediment the respondents state for offering the a pointment to the applicant is that the A.P.High Court has directed that certain daily rated employees, who have completed 240 days, should not be ousted or their services terminated while the matter is pending before the Industrial Tribunal at Hyderabad. It is clear that the applicant's case is under the scheme of preferential employment for persons who have lost their lands for construction of the project. In the circumstances, respondents are directed to offer an appointment to the applicant in the next available vacancy of Helper 'B'.

4. With the above direction, the application is disposed of. No order as to costs.

B.N.Jayasimha
(B.N.JAYASIMHA)
Vice-Chairman

D.Surya Rao
(D.SURYA RAO)
Member (J)

Dated: 19th December, 1990.
Dictated in Open Court.

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Deputy Registrar
Deputy Registrar (J)

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CHECKED BY
TYPED BY

APPROVED BY
COMPARED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR. B. N. JAYASIMHA : V.C.
AND

THE HON'BLE MR. D. SURYA RAO : M(J)
AND

THE HON'BLE MR. J. MARASIMHA MURTY : M(J)
AND

THE HON'BLE MR. R. BALASUBRAMANIAN M(A)

DATE: ~~24-9-~~ 19/12/90

ORDER / JUDGEMENT:

M.A. / R.A. / C.A / No.

in

T.A. No.

W.P. No.

O.A. No. 558/90

Admitted and Interim directions
issued.

Allowed.

Dismissed for default.

Dismissed as withdrawn.

Dismissed.

Disposed of with direction. ✓

M.A. Ordered / Rejected.

No order as to costs.

