

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD
BENCH : AT HYDERABAD.

...

O.A.No. 565 of 1990

Dt. of Decision: 12-10-1990

Between:-

Matta Veerabhadra Reddy .. Applicant

and

1. Govt. of India, represented by the Secretary, Department of Atomic Energy, New Delhi.
2. The Administrative Officer, Heavy Water Project, Manuguru, Khammam District.
3. The District Collector, Khammam.
4. The Mandal Revenue Officer, Aswapuram Mandal, Khammam Dist.

.. Respondents

Appearance:-

For the Applicant : Shri P.Satyaraja Babu, Advocate.

For the Respondents : Shri E.Madan Mohan Rao, Addl.CGSC.

CORAM:

THE HONOURABLE SHRI B.N.JAYASIMHA, VICE-CHAIRMAN.

THE HONOURABLE SHRI D.SURYA RAO, MEMBER(JUDICIAL).

(JUDGEMENT OF THE BENCH DELIVERED BY HON'BLE MEMBER(J))
SHRI D.SURYA RAO

1. The applicant herein states that he belongs to a family, whose lands were acquired for the Heavy Water Project at Manugur, Khammam District. The applicant's father nominated the applicant for employment pursuant to the agreement whereby the Project authorities had

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agreed to provide a job for one family member of the family, whose lands were acquired. The applicant was nominated by his father accordingly. The applicant also got his name registered in the 1st Respondent's project for getting suitable employment. He states that he has passed S.S.C. and discontinued Intermediate. He further states that he got experience in driving light vehicles and also worked as Plumber for about 3 years. The applicant states that he was called upon by the 1st Respondent authorities to appear for a Written Test for a post of L.D.C. on 29-1-1989 and also conducted training classes exclusively for land losers from 22-1-89 to 28-1-89 at the premises of respondent No.2. He attended the training classes and also attended for the written test on 29-1-1989. He was subsequently called for medical test, etc., for the post of Driver Gr.I vide respondents letter dated 11-9-1989. Later the applicant was called upon by a letter dated 18-10-1989 of the 2nd respondent to submit the proforma attestation forms and affidavits in order to enable the respondents to consider the suitable employment to the applicant in the 2nd respondent's project. Despite the applicant furnishing the requisite information, he has not received any appointment order. He has, therefore, filed the present application for a direction to the respondents to provide employment to the applicant in a suitable post in the Heavy Water Project, Manugur, Khammam District.

2. On behalf of the respondents a counter has been filed stating that the applicant was called for a written examination for the post of L.D.C. held on 29.1.1989 and before conducting the written examination, coaching classes

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were conducted. In spite of the coaching and encouragement, the applicant has failed to come up even to the relaxed standards in the examination. He was further interviewed and based on his performance, he was found suitable for the post of Helper 'B'. It is further stated that he has also submitted an application for the post of Tradesman 'A' (Plumber) and his case will be considered along with others on the basis of performance in Trade Test in plumbing trade and interview and in case he is able to pass the Trade Test, preference will be given to him being a land loser. It is further stated that in case he does not come out successfully in the Trade Test, he will be considered for the post of Helper 'B' for which he has already been recommended. It is contended that the O.A. is premature and liable to be dismissed.

3. We have heard Shri P. Satyaraja Babu, learned Counsel for the applicant, and Shri E. Madan Mohan Rao, learned Additional Standing Counsel for the Central Government, on behalf of Respondent No.1.

4. 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 appointment 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 ^{is} 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



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available vacancy of Helper 'B'. However, this will not preclude the respondents from appointing the applicant to the post of Plumber in the event of his being found fit.

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

(Dictated in Open Court)

B.N. Jayasimha
(B.N. JAYASIMHA)
VICE-CHAIRMAN

D. Surya Rao
(D. SURYA RAO)
MEMBER (JUDICIAL)

Date: 12-10-1990

Deputy Registrar
DEPUTY REGISTRAR (B)

nsr

TO:

1. The Secretary, (Govt. of India) Department of Atomic Energy, New Delhi.
2. The Administrative officer, Heavy Water project, Manuguru, Khammam District.
3. The District collector, Khammam.
4. The Mandal Revenue officer, Aswapuram Mandal, Khammam dist.
5. One copy to Mr. P. Satyaraja Babu, Advocate, 2-2-647/182-H, Central Excise Colony, Bagh Amberpet, Hyderabad-500 013.
6. One copy to Mr. E. Madan Mohan Rao, Addl. CGSC, CAT., Hyderabad.
7. One spare copy.

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CHECKED BY RVS

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. NARASIMHA MURTY : M(J)

AND

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

DATE: ~~24-9-~~ 12-10-90

ORDER / JUDGEMENT: ✓

M.A. / R.A. / G.A. No.

in

T.A. No.

W.P. No.

O.A. No. 565/90

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. ✓

