

15

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH  
AT : HYDERABAD

O.A.No.1009/90

Date of order:24.12.1990

BETWEEN

1. B. Yellaiah
2. S. Krishna Reddy
3. M. Narasimha
4. K. Narasamma
5. S. Nagamani
6. B. Narasimha

.. Applicants

Vs.

1. The Secretary,  
Department of Atomic Energy,  
New Delhi.

2. The Chief Executive,  
NFC, Dept. of Atomic Energy,  
Govt. of India, Moulali,  
Hyderabad.

3. The Dy. Chief Executive,  
NFC, Moulali, Hyderabad.

4. The Manager, Personnel  
and Admn., NFC, Dept. of  
Atomic Energy, Moulali,  
Hyderabad.

.. Respondents

--

APPEARANCE:

For the Applicants : Smt. N. Shoba, Advocate

For the Respondents : Sri N. Bhaskara Rao, Standing  
Counsel for Central Govt.,

..

CORAM

THE HON'BLE SHRI B.N. JAYASIMHA, VICE CHAIRMAN

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

BN



(Contd....)

(Judgement of the bench pronounced by Sri B.N.Jayasimha)  
Hon'ble Vice Chairman

-----

The applicants herein state that they have been working as Contract Labourers doing the work of Sweepers in Civil Engineering Division at N.F.C., and D.A.E., Housing Colony. Recently action was taken to regularise all the Contract Labourers doing the work of Sweepers and the applicants were called for interviews on 13.9.1990, 14.9.1990 and 15.9.1990. The applicants state that they appeared for interviews and were awaiting orders of appointment. They state that a list has been prepared for appointing juniors to the applicants i.e., persons who joined as Contract Labourers subsequent to the applicants. The applicants submitted representations on 8.12.90 and 12.12.90 urging that seniority should be the criterion for making appointments. They further state that they have been working since 1983 onwards whereas their juniors who have started their work from 1987 are likely to get appointments. They have therefore filed the present application seeking a direction to the respondents to consider their case for appointment as regular sweepers.

2) We have heard the learned counsel for the applicant Smt. N. Shoba and Sri N. Bhaskara Rao, Addl. Standing Counsel for Central Govt., who has taken notice at our direction at the admission stage. Shri Bhaskara Rao,

BNT

(Contd.....)

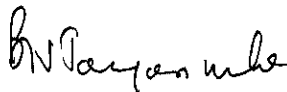
To


1. The Secretary,  
Department of Atomic Energy,  
NEW DELHI.
2. The Chief Executive,  
NFC, Department of Atomic Energy,  
Government of India, Moulali,  
HYDERABAD.
3. The Deputy Chief Executive,  
NFC, Moulali,  
HYDERABAD.
4. The Manager,  
Personnel & Admn., NFC Department of  
Atomic Energy, Moulali,  
HYDERABAD.
5. One copy to Mrs. N. Shobha, Advocate,  
H. No. 2-2-1105/21, Tilaknagar,  
HYDERABAD -500 044.
6. One copy to Mr. Naram Bhaskar Rao, Addl. CGSC  
CAT., Hyderabad.
7. One spare copy.

AA.

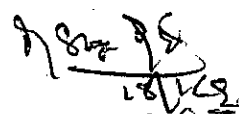
(17)

on instructions from the respondents says that the respondents have not maintained any list of the persons engaged by the Contractors and it cannot be said that the Contractors are maintaining any seniority lists. He also states that the applicants had submitted a representation jointly that they should be considered for appointment on the basis of seniority and that this representation is under consideration of the management. Sri Bhaskara Rao, therefore submits that the application is premature as the applicant's representation is still under consideration. Smt. Shoba states that the Civil Engineering Department has information about the persons employed by the Contractors. In the circumstances stated by Shri Bhaskara Rao, we are of the view the application is premature as the representations are under consideration of the respondents. We direct the respondents to dispose of the representation dt.8.12.90 and 12.12.90 and till such time the representations are disposed of no regular appointments may be made in the newly sanctioned posts. Smt. Shobha states that the applicants may be permitted to submit a further representation giving more particulars. She is permitted to do so within one week. The said representation will also be considered by the respondents when they consider the representations dt.8.12.90 and 12.12.90. With these directions, the O.A. is dismissed as premature. No order as to costs.

  
(B.N. JAYASIMHA)  
VICE CHAIRMAN

  
(D.SURYA RAO)  
MEMBER (JUDICIAL)

Dt.24th Dec. 1990

  
for DRC

~~check~~  
CHECKED BY

Usgen  
APPROVED BY

TYPED BY

COMPARED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH 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)

Dated: 24-12-1991.

~~ORDER~~ / JUDGMENT:

M.A./R.A. /C.A. NO.

in

T.A.No.

W.P.No.

O.A.No.

1009 / 90

~~Admitted and Interim directions  
issued.~~

~~Allowed~~

~~Disposed of with direction~~

~~Dismissed~~

~~Dismissed as withdrawn~~

~~Dismissed for default~~

~~M.A. Ordered/Rejected.~~

No order as to costs.

Central Administrative Tribunal  
DESPATCH

18 JAN 1991

HYDERABAD BENCH.