

(32)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.340 of 1991

DATE OF JUDGMENT: 28th June, 1993

BETWEEN:

Mr. Pentaiah Applicant

AND

The Chief Engineer (Project) Dy,
Parade Grounds, S.P.Road,
Secunderabad-3. Respondent

APPEARANCE:

COUNSEL FOR THE APPLICANT: Mr. Y.Suryanarayana represented
by Mr. Meherchand Norie.

COUNSEL FOR THE RESPONDENT: Mr. N.V.Ramana, Addl.CGSC

CORAM:

Hon'ble Shri Justice V.Neeladri Rao, Vice Chairman
Hon'ble Shri P.T.Thiruvengadam, Member (Admn.)

JUDGMENT OF THE DIVISION BENCH DELIVERED BY THE HON'BLE JUSTICE
SHRI V.NEELADRI RAO, VICE CHAIRMAN

(Handwritten mark)
The applicant claims that he is the owner of land
of an extent of Acres 5.24 Guntas in Survey No.344 of Yeddu-
mailaram Village and the same was acquired for the Ordnance

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Factory at Yeddu-mailaram. During the construction of the said factory, the respondent(s) issued a requisition to the Employment Exchange for sponsoring the names ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ for selection of the workers in the Project. The applicant claims that the requisition was meant for ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ of the applicant was sponsored and he was appointed in the organisation of the respondent for 3 spells of 60, 89 and 60 days in the years 1984 and 1985 and his services were finally terminated in 1984.

2. This application was filed praying for a direction to the respondent to appoint the applicant to the post of Safaiwala or in the alternative to any other post in Class-IV under the land displaced persons' category. There is a scheme whereby the Management of the Ordnance Factory at Yeddu-mailaram agreed to provide jobs to the land displaced persons who are eligible under the said scheme. It was stated that ^{from} the first list sponsored by the Revenue authorities for providing jobs under the category of land displaced persons, jobs could not be provided to all of them but it is stated for the applicant that the jobs were provided even for such of those land displaced persons whose names were included in the second and third lists sent by the Revenue authorities. Be that as it may, it is clear that as per the scheme, jobs have to be provided only in the Ordnance Factory ^{Respondent} and not in the Project ~~XXXXXX~~. The Ordnance Factory is not impleaded as respondent herein. Hence on that ground, this

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24

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OA is liable to be dismissed but this order of dismissal does not debar the applicant to approach the Revenue authorities with a request to send his name to the Ordnance Factory for providing him a job as per the scheme formulated.

3. Subject to the above, this OA is dismissed.
No costs.

(Dictated in the open Court).

(P.T.THIRUVENGADAM)
Member(Admn.)

Neeladri Rao
(V.NEELADRI RAO)
Vice Chairman

Dated: 28th June, 1993.

vsn

As original Judgment and 'A1
file is reported to be not traceable,
the Judgment in OA 340/91 is again
transcribed as per the instructions
of the PS to HVC.

V. Salhipuravayne
Court Clerk 15/7/93

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO. 340 of 1991

DATE OF JUDGMENT: (28th June) 1993

BETWEEN:

Mr. Pentaiah

Applicant

AND

The Chief Engineer (Project) Fy,
Parade Grounds,
Sardar Patel Road,
Secunderbad-500003.

Respondent

APPEARANCE:

COUNSEL FOR THE APPLICANT: Mr. Y. Suryanarayana, Advocate

COUNSEL FOR THE RESPONDENT: Mr. N.V. Ramana, Addl. CGSC

CORAM:

Hon'ble Shri Justice V. Neeladri Rao, Vice Chairman

Hon'ble Shri P.T. Thiruvengadam, Member (Admn.)

JUDGMENT OF THE DIVISION BENCH DELIVERED BY THE HON'BLE SHRI
JUSTICE V. NEELADRI RAO, VICE CHAIRMAN

The applicant claims that he is the owner of the land of an extent of 5 Acres and 24 Guntas in Survey No. 344 of Yeddumailaram Village and the same was acquired for Ordnance Factory at Yeddumailaram. During the construction of the said Factory, the respondent issued a requisition to the Employment Exchange for sponsoring names ~~xxxxxxxxxxxxxx the Project~~ for selection of the workers for working in the Project. The applicant claims that the requisition was sent for ~~sponsoring~~

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102

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the names of the land displaced persons. The name of the applicant was sponsored and he was appointed in the organisation of the respondent for three spells of 60, 89 and 60 days in the years 1984 and 1985 and his services were finally terminated on 8.2.1985.

2. This application was filed praying for a direction to the respondent to appoint the applicant to the post of Safaiwala or in the alternative ^{any} to ~~other~~ post in Class-IV under the Land Displaced Persons category.

3. There is a scheme whereby the management of the Ordnance Factory at Yeendumailaram agreed to provide jobs to the Land Displaced Persons who are eligible under the said scheme. It was stated that the first list sponsored by the Revenue Authorities for providing jobs under the category of Land Displaced Persons, jobs could not be provided to all of them. But it is ^{for Respondent} ~~stated~~ ^{submitted} for the applicant that the jobs were provided even for such of those Land Displaced Persons whose names were included in the second and 3rd lists sent by the Revenue authorities. Be that as it may, it is clear that as per the scheme, jobs have to be provided only in the Ordnance Factory and not in the Project work. The Ordnance Factory is not impleaded as respondent herein. Hence, on that ground, this OA is liable to be dismissed. But this order of dismissal does not debar the applicant to approach the Revenue authorities with a request to send his name to the Ordnance Factory for providing

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him a job as per the scheme formulated. Subject to the above, this OA is dismissed. No costs.

(Dictated in the open Court).

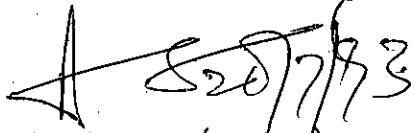
P. J. 2-0

(P.T. THIRUVENGADAM)
Member (Admn.)

W. N. Rao
(V. NEELADRI RAO)
Vice Chairman

Dated: 28th June, 1993.

vsn


Dy. Registrar (Judl.)

Copy to:-

1. The Chief Engineer (Project) Fy, Parade grounds, Sardar Patel road, Secunderabad-003.
2. One copy to Sri. Y. Suryanarayana, advocate, CAT, Hyd.
3. One copy to Sri. N. V. Ramana, Addl. CGSC, CAT, Hyd.
4. One copy to Sri. Library, CAT, Hyd.
5. One spare copy.

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