

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.558 of 1991

DATE OF JUDGMENT: 3rd September, 1993

BETWEEN:

1. Mr. G.Prabhakar

2. Mr. A.Goveraiah ..

Applicants

(OA was withdrawn insofar as the applicant No.2 is concerned, vide the order dated 5.7.1991 of the Tribunal in OA 558/91).

AND

1. The General Manager,
Ordnance Factory Project,
Ministry of Defence,
Govt. of India,
Eddumailaram,
Medak District. ..

Respondent

HEARD:

COUNSEL FOR THE APPLICANT: Mr. P.Naveen Rao, Advocate
representing Mr. Y.Suryanarayana, Advocate.

COUNSEL FOR THE RESPONDENT: Mr. N.R.Devaraj, Sr. CGSC

CORAM:

HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN

HON'BLE SHRI P.T.THIRUVENGADAM, MEMBER (ADMN.)

JUDGMENT

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

This OA was dismissed in regard to the 2nd applicant by the order dated 5.7.1991 as he was already provided with the job by the respondent. Hence, it has to be considered only with regard to the first applicant.

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2. This OA was filed for a direction to the respondent to operate the select list that was prepared in the proceedings No.09208/ADMIN/OPFM/86, in the year 1986 in which the first applicant was placed at S1.No.10 and to offer the appointment as per his rank in the select list. The select list referred to is with regard to the post of Carpenter (Semi-skilled). As per the Government of India O.M.No.22011/2/79-Estt.(d), dated 8.2.1982, the normal recruitment from the open market should take place when there are no candidates available from the earlier list of selected candidates. It has been fairly conceded by the respondent that no one will be appointed to the post of Carpenter till the list finalised in 1986 gets exhausted. Eight candidates as per the merit list from the select list have already been appointed and the respondent has submitted that the applicant will also be appointed as and when the requirement for the trade of Carpenters arises.

3. It is the case of the applicant that he had been waiting for the appointment order ~~is~~ for the last seven years and he has reached ^{the} stage when he would be prepared to accept even an unskilled labour post if it is not possible for the respondent to offer the post of Carpenter (Semi-skilled) to the applicant by the end of 1993. In the circumstances, it would be fit and proper to direct the respondent to offer the post of Carpenter (Semi-skilled) before the end of this year ie., 1993 as per his turn if a vacancy arises; otherwise, the applicant should be offered the post of unskilled labour if he is found suitable for the said post and subject to the panel for the unskilled labour having been exhausted. We make it clear that in case the offer of unskilled labour

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does not materialise for one reason or the other and if his turn for Carpenter (Semi-skilled) arises earlier even after the end of 1993, such an offer as carpenter should be made to him.

4. The OA is ordered accordingly. No costs.

(Dictated in the open Court).

P. T. Thiruvengadam
(P.T. THIRUVENGADAM)
MEMBER (ADMN.)

V. Neeladri Rao
(V. NEELADRI RAO)
VICE CHAIRMAN

Dated: 3rd September, 1993.

8/9/83
Deputy Registrar (J)

vsn
To
1. The General Manager, Ordnance Factory Project,
Ministry of Defence, Govt. of India, Eddumailaram, Medak Dist.
2. One copy to Mr. Y. Suryanarayana, Advocate, CAT. Hyd.
3. One copy to Mr. N. R. Devraj, Sr. OGSC. CAT. Hyd.
4. One copy to Library, CAT. Hyd.
5. One spare copy.

pvm

P. T. Thiruvengadam
7/11/83

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COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE CHAIRMAN

AND

THE HON'BLE MR. A. B. GORTHY : MEMBER (A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY
MEMBER (JUDL)

AND

THE HON'BLE MR. P. T. TIRUVENGADAM : M (A)

Dated: 3-9-1993

ORDER/JUDGMENT:

M.A/R.A/C.A.N.

in

O.A. No.

558/91

T.A. No.

(W.P.)

Admitted and Interim directions
issued.

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered

No order as to costs.

