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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.559/91

Date of Order: 28.1.94

BETWEEN :

G.Lakshminarayana

.. Applicant

A N D

Union of India represented by :

1. The Secretary to Government of India, Ministry of Defence, New Delhi.

2. The Engineer-in-Chief, Army Head Quarters, New Delhi-11.

3. The Chief Engineer, Southern Command, Engineers Branch, ~~Military~~ Engineer Services, Pune-411 001.

.. Respondents.

Counsel for the Applicant

.. Mr.K.S.R.Anjaneyulu

Counsel for the Respondents

.. Mr.V.Bhimanna

CORAM:

HON'BLE SHRI A.B.GORTHI : MEMBER (ADMN.)

HON'BLE SHRI T.CHANDRASEKHARA REDDY : MEMBER (JUDL.)

Copy will be sent and even not in case

: 3 :

Engineering Services Board

Copy to:-

along with OA 573/91

1. The Secretary to Government of India, Union of India, Ministry of Defence, New Delhi-110001.
2. The Engineer-in-Chief, Army Headquarters, New Delhi-11.
3. The Chief Engineer, Southern Command, Engineers Branch, Military Engineer, Services, Pune-011.
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Order of the Division Bench delivered by
Hon'ble Shri A.B.Gorthi, Member (Admn.).

The applicant joined the Military Engineer Service on 1.6.63 as Assistant Grade-II. He was appointed as Superintendent B/R Grade-I w.e.f. 20.11.63 and was declared quasi-permanent w.e.f. 1.7.67. While he was thus working in MES he applied for the post of Assistant Engineer (Civil) in Hindustan Zinc Limited which is a Government of India Enterprise. The applicant was relieved from MES on 12.6.74 retaining lien in MES initially for a period of 2 years. The applicant joined Hindustan Zinc Limited on 20.6.74. His claim in this application is for grant of pro-rata pensionary benefits consequent to his absorption in Hindustan Zinc Ltd.

2. Except for ^{some} details as stated above, the facts in this case as also issues raised therein are identical to those in OA.573/91 which we disposed of separately today. In this case also we have heard learned counsel for both the parties. For the reasons stated in our judgement in OA.573/91, we allow this OA and accordingly direct the respondents to treat the applicant as having become a permanent employee of the M.E.S w.e.f. 1.4.74. The applicant would therefore be entitled to all the consequential benefits with regard to the grant of pro-rata pensionary/terminal benefits as applicable to persons seeking employment under public sector undertakings in accordance with the extant orders. The respondents shall comply with this direction within a period of 4 months from the date of communication of this order. The application is allowed accordingly without any order as to costs.

T. C. R. (T. CHANDRASEKHARA REDDY)
Member (Judl.)

Signature
(A.B.GORTHI)
Member (Admn.)

Dated: 28th January, 1994

(Dictated in Open Court)

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Amulya
Dy. Registrar (Jdly.)

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