

(15)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD

AT HYDERABAD

O.A.No.719/91

Dt. of decision: 27-12-1993.

Between:

1. B.V.N. Reddy

2. U. Appalaraju

.. Applicants

and

1. The Commanding Officer-in-Charge,  
Eastern Naval Command, Naval Base  
Visakhapatnam-14.

2. Officer-in-Charge, Command Non-public  
Transport Fund, CT.Pool, INS Circars,  
Naval Base, Visakhapatnam-14.

.. Respondents

Appearance

Counsel for the applicants: Sri P.B.Vijaya Kumar

Counsel for the respondents: Sri N.R. Deva Raj, Sr. Case

Coram

The Hon'ble Sri A.B. Gorthi, Member (Admn.)

The Hon'ble Sri T.Chandrasekhar Reddy, Member (Judl.)

Judgement

[ As per the Hon'ble Sri A.B. Gorthi, Member (Admn.) ]


The applicants were appointed as Drivers under the  
orders of the Commanding Officer-in-Charge, Eastern Naval


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Command, Naval Base, Visakhapatnam. Their claim is for a direction to the respondents to treat them as regular employees of the respondents.

2. The respondents, in their reply affidavit, have clarified that the applicants were appointed as M.T. Drivers for running the non-public fund transport held by ~~them~~. The respondents organisation was holding some vehicles which were required to be used exclusively for the welfare activities of the Sailors, and their families including the families of the Defence Civilians. Some of the vehicles were being used as School Bus<sup>es</sup> for transporting the children of the employees. The drivers were not appointed against any regular posts under the Eastern Naval Command. The applicants were also being paid from non-public fund.

3. In view of the aforestated facts, we are of the considered view that the applicants cannot invoke the jurisdiction of the Tribunal. The application is therefore dismissed without any order as to costs. The applicants are, however, at liberty to approach the proper forum on the ~~same~~ cause of action.

  
(T. Chandrasekhar Reddy)  
Member (J)

  
(A.B. Gorthi)  
Member (A)

(By circulation)

  
Deputy Registrar(J)

- To
1. The Commanding Officer-in-Charge,  
Eastern Naval Command, Naval Base, visakhapatnam-14.
  2. The Officer-in-Charge, Command Non-public Transport Fund,  
CT Pool, INS Circars, Naval Base, visakhapatnam-14.
  3. One copy to Mr.P.B.vijayakumar, Advocate, CAT.Hyd.
  4. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT. Hyd.
  5. One copy to Library, CAT.Hyd.
  6. One spare copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : 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(J)

AND

THE HON'BLE MR. R. RANGARAJAN : MEMBER(A)

Dated: 21-12-1993

~~ORDER~~ JUDGMENT:

M.A/R.A/C.A.No.

in

O.A.No. 719/91

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.

pvm

