

(26)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO. 759 of 1991

DATE OF JUDGMENT: 9th September, 1993.

BETWEEN:

1. Smt. N.Kalavati
2. Ms. Yadamma
3. Smt. T.Laxmamma
4. Smt. Rabia Bee
5. Ms. D.Nagamani
6. Smt. K.Kalavati
7. Mr. L.D.Chandraiah ..

Applicants

and

1. Union of India represented by
its Secretary,
Ministry of Agriculture,
Government of India,
New Delhi-1.
2. The Plant Protection Adviser to
the Government of India,
Ministry of Agriculture,
Directorate of Plant Protection
Organisation and Scheme,
NH-IV, Faridabad,
409, 8th Wing Shastri Bhavan,
New Delhi-1.
3. The Director,
Central Plant Protection
Training Institute,
Govt. of India,
Hyderabad-500030. ..

Respondents

HEARD:

COUNSEL FOR THE APPLICANTS: Mr. V.Venkateswara Rao, Advocate

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

CORAM:

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

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

 contd....

JUDGMENT

(As per Hon'ble Shri Justice V.Neeladri Rao, Vice Chairman)

All these seven applicants were engaged as casual labour from 1982 in the Training Institute of the 3rd Respondent. When they were not engaged from 1989, they filed OA 141/89 praying for reinstatement and for some other reliefs. The same was disposed of by this Bench on 25.4.1990 with a direction to consider them for absorption in Group 'D' and till then, to engage them as casual labour when the work is available in preference to ~~the~~ outsiders. There was also a direction in regard to the amount to be paid as daily wages. There is no need to elaborate with regard to the ^{value of} daily wages payable for consideration of this OA.

2. This OA was filed praying for a direction to the respondents to consider the applicants for regular appointment against the existing several posts belonging to Group 'D' category with effect from the dates on which the same was ~~was~~ sanctioned by the 1st respondent with all consequential benefits such as seniority, arrears of salary and allowances and promotion.

3. In the counter filed by the 3rd respondent on behalf of all the respondents, it is stated that in pursuance of the direction in the OA 141/89, proposals were sent to the 1st respondent and then the ^{letter} ~~1st respondent~~ had not accepted the proposals with regard to creation of casual labour posts in view of the economy and there are no sanctioned posts of Group 'D' and as and when they are sanctioned, the case of the applicants will be considered.

4. The relief claimed in this OA is more or less on ^{in the nature of} many grounds praying for a direction to the respondents for

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implementation of the order dated 25.4.1990 in OA 141/89. In view of the averments in the counter in this OA, the orders that can be passed in this OA are that, it is open to the applicants to move this Tribunal by way of an application for implementation as and when cause of action arises and that the applicants have to be engaged ^{as casual labourers} if their juniors are working in the 3rd respondent's Training Institute.

5. The OA is ordered accordingly. No costs.

P. J. d.c

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

Neeladri Rao
(V. NEELADRI RAO)
VICE CHAIRMAN

DATED: 9th September, 1993.
Open Court dictation.

Deputy Registrar

vsn

To

1. The Secretary, Union of India, Ministry of Agriculture, Govt. of India, New Delhi-1.
2. The Plant Protection Adviser to the Govt. of India, Ministry of Agriculture, Directorate of Plant Protection Organisation and Scheme, NH-Iv Faridabad, 409, 8th Wing Shastri Bhavan, New Delhi-1.
3. The Director, Central Plant Protection Training Institute, Govt. of India, Hyderabad-30.
4. One copy to Mr. V. Venkateswara Rao, Advocate, CAT. Hyd.
5. One copy to Mr. N. R. Devraj, Sr. CGSC. CAT. Hyd.
6. One copy to Libfary, CAT Hyd.
7. One spare copy.

pvm

Boat of 10/10/93