

(43)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

OA.788/91

date of decision : 21-2-1994

Between

1. M. Kailashnath
2. K. Appalaraju
3. Ch. Bangaraiiah
4. J. Madhavarao
5. R. Atchuta Rao
6. B.V. Ramana Raju
7. A. Vasudeva Reddy
8. K.V. Krishna Murthy
9. D.V.V. Prasad
10. P. Apparao
11. A. Mohana Rao
12. V. Satyanarayana
13. A. Satyanarayana
14. M.V.S. Prasad
15. S. Srinivasa Rao
16. V.B.S. Sastry
17. I. Ramana
18. Bokka Nageswara rao
19. B. Mohana Kumar
20. V. Maheswara Rao
21. M. Suryanarayana Murthy
22. G. Pydikasulu
23. P. Nageswara Rao
24. B. Atcham Naidu
25. S. Krupa Rao
26. S. Arvindakumar
27. M. Satiraju
28. J. Apparao
29. T. Purushotham
30. D. Suryarao
31. M. Apparao
32. A. Krishna Rao
33. K. Sreenivasarao
34. S. Patnaik
35. Pulli Suryanarayana
36. M. Madhavarao
37. Ch. Apparao
38. N.V. Bhaskaram
39. T. Apparao
40. Pydi Satyanarayana
41. P.P. Anand
42. G. Narayana Rao
43. A. Aseervadam
44. G.V. Nageswara Rao
45. G. Satyanarayana Murthy
46. Emmandi Apparao
47. A. Chinnaiah
48. P. Ramanarao
49. Chandaka Apparao

50. P.T. Ramagopalam
51. M. Narasinga Rao
52. Boddapati Nageswara Rao
53. Ch. Babu Rao
54. P. Ganapati Rao
55. P. Sreenivasa Rao
56. P. Eswara Rao
57. Shaik Meera
58. K. Mohana Rao
59. K. Satyanarayana
60. M. Rudrayya
61. B.N. Murthy
62. S. Ananda Rao

: Applicants

and

1. Union of India repr. by
The Secretary
Ministry of Defence
New Delhi

2. The Chief of Naval Staff
Naval Headquarters
New Delhi

3. The Flag Officer
Commanding-in-Chief
Headquarters
Eastern Naval Command
Visakhapatnam

: Respondents

Counsel for the applicants

: P.B. Vijayakumar
Advocate

Counsel for the respondents

: N.V. Ramana, SC for
Central Government

CORAM

HON. MR. JUSTICE V. NEELADRI RAO, VICE CHAIRMAN

HON. MR. R. RANGARAJAN, MEMBER (ADMINISTRATION)

(B)

OA 788/91

Judgement dated 21.2.94

[AS PER SHRI JUSTICE V. NEELADRI RAO, VICE-CHAIRMAN]

Heard Shri P.B. Vijayakumar, learned counsel for the applicant and also Shri N.V. Ramana, learned Standing counsel for the respondents.

2. 62 applicants filed this OA praying for a direction to the respondents to regularise their services from the dates of their initial appointment in the post of Asst. Store Keeper or such other date ^{maybe} as ordered by this court with all other consequential and attendant benefites.

3. In the reply filed in this OA, it is stated that various OAs were disposed of with a direction that the applicants in those various OAs should be given the benefit of regularisation of their services from the date of their initial appointment if any of their juniors were given the benefit pursuant to the judgements of the High Court of Andhra Pradesh ^{or} of this Bench of C.A.T. in the earlier cases.. It is further stated for the respondents that as none of the juniors of the applicants herein got that benefit, the applicants' services were not regularised from the date of their initial appointment.

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Copy to:-

1. The Secretary, Ministry of Defence, Union of India, New Delhi.
2. The Chief of Naval Staff, Naval Headquarters, New Delhi.
3. The Flag Officer, Commanding-in-Chief Headquarters, Eastern Naval Command, Visakhapatnam.
4. One copy to Sri. P.B.Vijayakumar, advocate, CAT, Hyd.
5. One copy to Sri. N.V.Ramana, Addl. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

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4. But the applicants are relying upon the judgement dated 16.11.93 of this Bench in OA 767/90 wherein the applicant was given the benefit of regularisation from the date of initial appointment and also the increments and placement in the seniority list by limiting the monetary benefit from one year prior to the filing of this OA. Hence taking into consideration the various judgements referred to in the reply and also the order dated 16.11.93 in OA 769/90, the following direction is given:

" If any juniors to the applicants or to any of the applicant, in the OA, are given the benefit of regularisation from the date of the initial appointment on the basis of the judgement of the A.P. High Court in writ petitions or the orders of this Bench in OAs, then the applicants or such of the applicants as the case may be, have to be given the benefit of regularisation from the date of initial appointment and the increments from that date and in case they are going to get benefit of such regularisation, the monetary benefit should be limited from 2.8.90, as this OA was presented on 2.8.91."

5. The OA is ordered accordingly. No costs.

(R. RANGARAJAN)
Member (Admn.)

(V. NEELADRI RAO)
Vice-Chairman

(Open court dictation)

NS

Dy. Registrar (J. & L.)

(mtl)