

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD.

* * *

O.A. 846/92.

Dt. of Decision : 24.3.1994.

P. Narayana Rao

.. Applicant

Vs

1. Officer-Incharge,
Military Farm Depot,
Station Road,
Visakhapatnam -4.
2. Deputy Director,
Military Farms,
HQ. Southern Command,
Kirkee, Pune-3.

.. Respondents.

Counsel for the Applicant : Mr. A. Ravishankar

Counsel for the Respondents : Mr. N.R. Devaraj, Sr. CGSC.

CORAM:

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

THE HON'BLE SHRI H. RAJENDRA PRASAD : MEMBER (ADMN.)

(29)

ORDER

{As per Hon'ble Shri T.Chandrasekhara Reddy, Member(J)}

This is an application filed by under Section 19 of the Administrative Tribunals Act to set aside the termination order passed by the respondents dated 1.2.92 and to direct the respondents to take him as casual labour and regularise his services with all consequential benefits and to pass such other order or orders as may deem fit and proper in the circumstances of the case.

2. The applicant had been initially engaged as a casual labour on daily wages by the Military Farm Depot, Visakhapatnam on 1.9.85. According to the applicant, he had been continuously working without any break from then onward. The services of the applicant had been terminated as per the order dated 1.2.92 passed by the competent authority on the ground, that his services were no more required w.e.f. 1.2.92. So, the applicant had approached this Tribunal to set aside the termination order passed as against the applicant dated 1.2.92 and for other relief(s) as already indicated above.

3. Counter is filed by the respondents opposing this OA.

4. In the counter of the respondents, it is maintained that the services of the applicant had been terminated w.e.f. 1.2.92 for want of work and as the applicant was the junior most casual employee. So, in view of this position, it is not open for the applicant to contend that the termination of his services is illegal. As the services of the applicant were terminated for want of work, the same has got to be held as legal. Even though the termination of the services of the applicant is legal, in the interests of justice, appro-

private directions are liable to be given while disposing of this OA.

6. In the result, even though the termination of the applicant is legal, we hereby direct the respondents to re-engage the applicant as and when there is work and in preference to his juniors. Further, the respondents may regularise the services of the applicant in accordance with rules and regulations if he is found fit and suitable. Parties shall bear their own costs.

(H. RAJENDRA PRASAD)
MEMBER (Admin)

24 MAR 94

(T. CHANDRASEKHARA REDDY)
Member (Judl.)

Dated: The 24th March, 1994

(Dictated in the Open Court)

Deputy Registrar (J)

spr

To

1. The Officer-Incharge,
Military Farm Depot, Station Road,
visakhapatnam-4.
2. The Deputy Director,
Military Farms, HQ, Southern Command, Kirkee, Pune-3.
3. One copy to Mr. A. Ravishankar, 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.

pvm

TYPED BY *WJ*

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. GORTHI : MEMBER (AD)

AND

THE HON'BLE MR. TCCHANDRASEKHAR REDDY
MEMBER (JUDL)

AND

H. Rajendra Prasad
THE HON'BLE MR. R. RANGARAJAN : M (ADMN)

Dated: *24* 3 -1994

~~ORDER~~ JUDGMENT

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

in

O.A.No. *846/92*

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.

