

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

C.P.No. 58/92
in
O.A.No. 153/92

Date of Order: 20.7.93

1. V.Venkataramana
2. P.Ramulu
3. D.Simhachalam
4. K.Ramarao
5. K.Satyanarayana
6. D.Pydaiah
7. T.Yerribabu
8. N.Ramulu
9. P.Satyam
10. P.Kistanna
11. N.Apparao
12. P.Simhachalam
13. P.Appalanaidu
14. P.Pydinaidu
15. S.Demudu
16. T.Apparao
17. P.Venkulu
18. R.Pydinaidu
19. K.Chittamma
20. Sri Shaik Pentu

.. Applicants.

Vs.

1. ~~Sree Ramjee, General Manager,~~
South Eastern Railway,
Garden Beach,
Calcutta.
2. ~~Sree V.Viswanathan, Divisional Railway Manager,~~
South Eastern Railway,
Dondaparathi,
Visakhapatnam.

.. Respondents.

Counsel for the Applicants : ~~Mr. P.B.Vijaya Kumar~~

Counsel for the Respondents : Mr. N.R.Devaraj

CORAM:

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

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

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(Order of the Divn. Bench passed by Hon'ble
Shri A.B.Gorthi, Member (A)).

Mr. P.B.Vijay Kumar, learned counsel for the Petitioners and Sri Devaraj, learned counsel for the respondents are present. The allegation in the contempt petition is that the respondents have not complied with our judgement order dated 24.2.92 in OA 153/92. In the said order the respondents were directed to re-engage the applicants provided (a) there is work (b) juniors are continued. This was to be done in accordance with the rules.

2. Sri N.R.Devaraj, learned counsel for the respondents has clarified that consequent to the judgement of the Supreme Court in the case of Inder Pal Yadav the Railways evolved a scheme which was finally approved by the Hon'ble Supreme Court. Consequently casual labour who were engaged were asked to apply for re-engagement prior to 31.3.87. Those who applied, were screened for re-engagement. Thus 29 casual labourers were re-engaged in the Department where the petitioners have worked. By doing so, the respondents claim that they have not committed any contempt. Similarly, due to certain administrative exigencies, some lateral transfers/adjustments had to be carried out in the Department and that also cannot be said to be in violation of the judgement in OA No. 143/92.

3. In view of the clarification given by Sri Devaraj we dispose of this contempt petition expecting that the respondents in compliance with our judgement order in OA 153/92 would first consider re-engagement of the petitioners herein before making any fresh engagements of persons who had rendered service for a lesser number of days than the applicants.

4. ~~The prayer~~ in MA.977/92 is for a direction to the respondents not to confer temporary status on the casual labour (Juniors to the applicant) engaged by the respondents. In view of our disposing of the contempt petition, this MA is dismissed.

T. Chandrasekhara Reddy
(T. CHANDRASEKHARA REDDY)
Member (Judl.)

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

Date of order: 20.07.93
(Dictated in Open Court)

A. 83/873
Deputy Registrar

ad

To

1. Shri Ramjee, General Manager,
South Eastern Railway, Garden Reach, Calcutta.
2. Sri V. Viswanathan, Divisional Railway Manager,
S.E. Railway, Dondaparthi, visakhapatnam.
3. One copy to Mr. P. B. Vijayakumar, Advocate, CAT. Hyd.
4. One copy to Mr. N. R. Devraj, SC for Rlys. CAT. Hyd.
5. One copy to Library, CAT. Hyd.
6. One spare copy.

pvm

*322/1/93
Per 8/3/93*