

(22)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH: AT
HYDERABAD.

C.A.NO. 1004/92.

DATE OF JUDGMENT: 27-09-95.

BETWEEN:

1. Geological Survey of India Employees' Association (Recognised by Government of India) G.S.I. Complex, Bandlaguda, Hyderabad-500 060.
(Represented by its General Secretary, Y. Habel)

2. A. Lakshman Rao
3. P.Yadaiah
4. B.Anjaiah
5. A.Christidas
6. P.Ashok Kumar
7. M. Krishna Rao
8. B. Maheswar
9. D.Ramesh
10. Laxmi
11. M. Lalitha

.. Applicants.

AND

Vs

1. Union of India rep. by its Secretary to Government, Ministry of Steel & Mines, Dept. of Mines, Sestry Bhavan, New Delhi.

2. Director- General, Geological Survey of India, 27, Jawaharlal Nehru Road, Calcutta-16.

3. Deputy Director-General, GSI, Southern Region, GSI Complex, Bandlaguda, Hyderabad.60. .. Respondents.

COUNSEL FOR THE Applicants: SHRI M. Surender Rao

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

CORAM:

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

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

(24)

O.A.NO.1004/92.

JUDGMENT

Dt:27.9.95

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN)

Heard Shri M.R.Devaraj, learned standing counsel
for the respondents.

2. This OA was filed praying for declaration that the respondents are bound to follow their own O.M.No.49014/4/90-Estt.(C), dated 8.4.1991 (Department of Personnel & Training) and further declare that the cases of the applicant shall have to be considered for regularisation as Group-D employees basing on their applications in pursuance of the Circular No.7190/A.12024/14/89/17-A, dated 30.8.1991 by holding that non consideration of their cases as per the above OM and the circular, is illegal, arbitrary and discriminatory and therefore violative of Articles 14 and 16 of the Constitution of India.

3. The first applicant is the ~~General Secretary~~ ~~the Employees~~ GSI Employees' Association while the applicants & 2 to 11 are some of the members of that association. They and some others filed OA 162/91 praying for direction to the respondents to regularise the services of the contingent workers who were employed after 20.3.1979 with immediate effect in any of the suitable posts in Group-D category with all consequential benefits such as seniority, arrears of pay and allowances, promotions etc. That OA was disposed of by the order dated 25.8.1992. ~~But~~ In para 6(5) of this OA, it is alleged that the respondents did not

contd....

To

1. The Secretary to Govt.,
Union of India, Ministry of Steel and Mines,
Dept. of Mines, Sastry Bhavan, New Delhi.
2. The Director-General, Geological Survey of India,
27, Jawaharlal Nehru Road, Calcutta-16.
3. The Deputy Director-General, GSI Southern Region,
GSI Complex, Bandlaguda, Hyderabad-60.
4. One copy to Mr. M. Surender Rao, Advocate, 17-119, Kamalanagar,
Dilsukhnagar, Hyderabad.
5. One copy to Mr. N. R. Devraj, Sr. CGSC. CAT. Hyd.
6. One copy to Library, CAT. Hyd.
7. One spare copy.

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.. 3 ..

bring to the notice^{of the Tribunal} that they already called for applications from the applicants by their circular ~~Muz~~ dated 30.8.1991.

4. It may be noted that in effect, the relief claimed in OA 162/91 and this OA is ~~that~~ for regularisation of their service as contingent employees in Group-D. If any fact existing by the date of disposal of the earlier OA was not brought to the notice of the Tribunal, the remedy is only by way of filing a Review Application and not by filing another application under Section 19 of the Administrative Tribunals Act.

5. Hence we find that this OA is not maintainable and as such it is liable to be dismissed. But this order of dismissal does not debar the applicants to file a Review Application, if so advised.

6. In the result, this OA is dismissed as not maintainable. The applicants are free to file Review Application in OA 162/91 on the file of this Tribunal if they are so advised. No costs. //

(R.RANGARAJAN)
MEMBER (ADMN.)

(V.NEELADRI RAO)
VICE CHAIRMAN

DATED: 27th September, 1995.
Open court dictation.

vsn

Deputy Registrar (S) cc.

TYPED BY

CHECKED BY

COMPARED 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. R. RANGARAJAN :M(A).

DATED: 27-9-1995

~~ORDER~~ JUDGMENT

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

O.A.No.

1004/98 in

T.A.No.

(W.P.No.)

Admitted and Interim directions
Issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

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