

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.A.No.192/92.

Date of Judgement 23-10-92

1. G.Veeraiah
2. G.Muthyalu
3. Cherukuri Mallaiah
4. Bandari Babaiah
5. J.Kistaiah
6. Byndla Balraj
7. Mettupalli Mallaiah
8. J.Somalingam

.. Applicants

Vs.

1. Union of India,
Rep. by its Secretary,
Min. of Agriculture,
Central Secretariat,
New Delhi.
2. The Director-General,
Indian Council for
Agricultural Research,
New Delhi.
3. The Officer-in-charge,
Hayathnagar,
Research Farm,
Central Research Institute
for Dryland Agriculture
(Indian Council for
Agricultural Research),
Santoshnagar,
Saidabad P.O.,
Hyderabad-500659.

.. Respondents

Counsel for the Applicants : Shri V.Venkateswara Rao

Counsel for the Respondents : Shri E.Madan Mohan Rao,
SC for ICAR

CORAM:

Hon'ble Shri R.Balasubramanian : Member(A)

Hon'ble Shri C.J.Roy : Member(J)

BM
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X Judgement as per Hon'ble Shri R. Balasubramanian, Member(A) I

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This application is filed with a prayer to direct the respondents to regularise the services of the applicants and to pay wages on par with the regular employees from the initial date of appointment. The applicants have put in more than 240 days of service although there had been alleged artificial breaks. It is their case that in the light of several judgements including those of the Hon'ble Supreme Court they are entitled to regularisation and in any case till regularisation, payment at rates indicated in the Dept. of Personnel & Training letter dt. 7.6.88 should be made.

2. There is no counter affidavit.

3. We heard the rival sides on 13.10.92. We find that all the applicants have put in considerably long service and they cannot be considered contingent. We find that they are entitled to the benefits contained in the judgement of the Principal Bench of this Tribunal reported in I(1992) CSJ (CAT) 201 PB. In the judgement of the Principal Bench there is also a reference to the O.M. dt. 8.4.91 issued by the Dept. of Personnel & Training with reference to their letter dt. 7.6.88. Based on this, this Bench had also decided a batch of cases vide O.A.No.968/91 and batch on 16.10.92. Hence, following these judgements, we give the following directions to the respondents:

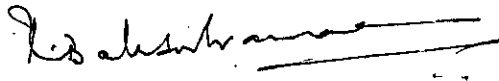
(a) To consider regularisation of the applicants in accordance with what is stated in the Dept. of Personnel & Training letter dt. 7.6.88 followed by their O.M. dt. 8.4.91. Such regularisation is to be limited to the extent regular posts are justified.

(b) The rest of the casual workers not covered by (a) above and whose retention is considered absolutely necessary and is in accordance with the guidelines indicated in the letter dt. 7.6.88 of the Dept. of Personnel & Training may be retained as casual workers, and paid at rates indicated therein.

(c) The remaining casual workers not covered by (a) and (b) above may be discharged from service. (35)

(d) The respondents are directed not to induct fresh recruits overlooking the claims of the applicants.

4. The application is disposed of thus with no order as to costs.


(R. Balasubramanian)
Member (A).


(C. J. Roy)
Member (J).

Dated: 22nd October, 1992.


Deputy Registrar (Judl.)

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Copy to:-

1. Secretary, Ministry of Agriculture, Central Secretariat, Union of India, New Delhi.
2. The Director-General, Indian Council for Agricultural Research, New Delhi.
3. The Officer-in-Charge, Hayathnagar, Research Farm, Central Research Institute for Dryland Agriculture (Indian Council for Agricultural Research), Santoshnagar, Saidabad, Hyd-65.
4. One copy to Sri. V. Venkateswar Rao, advocate, CAT, Hyd.
5. One copy to Sri. E. Madan Mohan Rao, SC for ICAR, CAT, Hyd.
6. One spare copy.

Rsm/-

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P. S. C. S. J.

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O.A. 192/92

TYPED BY

(3)

COMPARED BY

CHECKED BY

RM
11/11

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD

THE HON'BLE MR

AND

THE HON'BLE MR. R. BALASUBRAMANIAN: M(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY:
M(JUDL)

AND

THE HON'BLE MR. C. J. ROY : MEMBER(JUDL)

Dated: 23/10/1992

ORDER/JUDGMENT:

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

in

O.A. No.

192/92

T.A. No.

(wp. No)

Admitted and interim directions
issued.

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default

M.A. Ordered/Rejected

No orders as to costs.

Central Administrative Tri
DESPATCH

13 NOV 1992

HYDERABAD

pvm