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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH
HYDERABAD

R.A.NO.87/95 in O.A.NO.318/92

Between:

Date of Order: 20.12.95.

1. The Secretary, Dept. of Atomic Energy, Personnel And Training, Anushakti Bhavan, Bombay, Maharashtra.
2. The Secretary, Finance Department. of Atomic Energy, Anushakti Bhavan, Bombay, Maharashtra.
3. The Chief Executive, Heavy Water Board, BARC, Sarabhai Vikram Bhavan, Bombay, Maharashtra.
4. The General Manager, Dept. of Atomic Energy, Heavy Water Project, Manuguru, Khammam Dist.
5. The Administrative Officer, Dept. of Atomic Energy, Heavy Water Project, Manuguru, Khammam District.

...Applicants/
Respondents.

And

K.Sivanarayana Reddy

...Respondents/
Applicant

Counsel for the Applicants : Mr.N.V.Ramana, Addl.CGSC.

Counsel for the Respondents : Mrs.N.Shoba

CORAM:

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

contd...

(V2)

R.A.No.87/95 in
O.A.No.318/92

Date of Order: 20.12.95

X As per Hon'ble Shri A.B.Gerthi, Member (Admn.) X

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Heard learned counsel for both the parties.

2. This Review Application is filed by the respondents in OA.318/92 stating that the judgement in the OA has been complied with in respect of 6 of the 7 applicants in the OA. But so far as the applicant No.5 (K.Sivanarayana Reddy) ^{is concerned,} the department has since realised that he joined ^{the} Central Government service after having come from Singareni Collieries and that said Collieries is a Public Sector undertaking of the State Government and ^{not} that of the Central Government. It is ^{the} contention of the Review Applicants that the O.M. dated 7.8.89, on which the judgement was based, pertained only to Central Government Public Sector undertakings. This aspect of the matter stood clarified vide O.M. dated 17.11.89 issued by the Ministry of P.P.G.&T. It is clear from the said O.M. that the O.M. dated 7.8.89 governed only the Public Sector undertakings under the Central Government and ~~not those~~ ^{under} State Government. My contention has been drawn to another O.M. dated 28.2.92 by the same Ministry which stated that the question of extending the benefits under O.M. dated 7.8.89 to such of the Public Sector undertakings which are under the State Government also was considered by the Government and that it has been decided to extend the benefits of the said O.M. to the employees of State Government undertakings selected for posts in Central Government. The decision of the Ministry dated 28.2.92 has however been given effect ^{only} from 1.2.92.

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To

1. The Secretary, Dept. of Atomic Energy,
Personnel and Training, Anushakti Bhavan,
Bombay, Maharashtra.
2. The Secretary, Finance Dept. of Atomic Energy,
Anushakti Bhavan, Bombay, Maharashtra.
3. The Chief Executive, Heavy Water Board,
BARC, Sarabhai Vikram Bhavan,
Bombay, Maharashtra.
4. The General Manager, Dept. of Atomic Energy,
Heavy Water Project, Manuguru, Khammam District.
5. The Administrative Officer, Dept. of Atomic Energy,
Heavy Water Project, Manuguru, Khammam District.
6. One copy to Mr. N.V. Ramana, Addl. CGSC, CAT, Hyderabad.
7. One copy to Mrs. N. Shoba, Advocate, CAT, Hyderabad.
8. One copy to Library, CAT, Hyderabad.
9. One spare copy.

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3. From the above it would be evident that an error has kept into judgement in CA.318/92 and accordingly the Review Application has to be allowed and it is allowed with a direction to the respondents not to extend the benefit of the judgement to applicant No5 (K.Sivaramayana Reddy).

4. Learned counsel for the applicant No.5 in the OA urged that Singareni Collieries is a Central Government undertaking. To this aspect of the case has been refuted by the respondents. There is nothing on record to indicate that Singareni Collieries is a Central Government undertaking.

5. Learned counsel for applicant No5 stated that the applicant should be given liberty to approach the Tribunal in case he is aggrieved by the O.M.s dated 19.11.91 and 28.2.92. As the said 2 O.Ms were not brought before the Tribunal at the time when the OA was decided, the applicant No5 in the OA will be at liberty to approach the Tribunal if he feels aggrieved by any of the ~~said aforesaid~~ ^{any} 2 O.Ms.

6. R.A. is ordered accordingly. No costs.

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

Dated: 20th December, 1995

(Dictated in Open Court)

sd

Amby
27-12-95
Deputy Registrar (J)

Contd...

RA 87/95
in
O.A 318/92

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD.

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

HON'BLE SHRI

DATED: 20.12.95

ORDER/JUDGMENT

M.A. NO./R.A./C.A. NO. 87/95

IN

C.A. NO. 318/92

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

* * *

No. Spale Copy (9)

