

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD
AT HYDERABAD

OA No. 73/93

Date of judgement: 29-1-93

Between

C. Nagaraju : Applicant

And

1. The Chief Personnel Officer
South Central Railway
Rail Nilayam
Secunderabad.
 2. The Deputy Chief Mechanical Engineer,
Carriage Repair Shop
South Central Railway,
Tirupati.
 3. The workshop Personnel Officer,
Carriage Repair Shop,
South Central Railway,
Tirupati.
- : Respondents

COUNSEL FOR THE APPLICANT : Shri P. Krishna Reddy
COUNSEL FOR THE RESPONDENTS : Shri V. Bhimanna

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Hon'ble Shri R. Balasubramanian, Member (Admn.)
Hon'ble Shri C.J. Roy, Member (judl.)

(Judgement of the division bench as delivered by
Shri C.J. Roy, Member (judl.)

The applicant has filed the application under Section 19 of the Administrative Tribunal's Act, 1985 seeking a relief to direct the respondents to appoint the applicant as Skilled Artisan in the Scale of Rs.950-1500 (RSRP) in C.R.S., Tirupati pursuant to the panel dated 21-3-1987 published by the Deputy Chief Mechanical Engineer in the Carpenter & allied Trades and in the meanwhile direct the Respondents to appoint the applicant in the post

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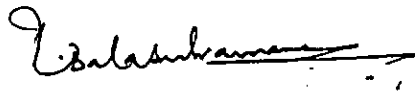
of Khalasi in the Artisan Category out of 40 vacancies Notified in Employment Notice 1/91 or in the alternative appoint the applicant as Khalasi in the Diesel Sheds of Guntakal division i.e. at Gooty and Guntakal in terms of the offer of alternative appointment issued by the Deputy Chief Mechanical Engineer, in his letter No. TR/P.563/DR.Vol. II dated 15-4-91 (P5) and later absorb the applicant as Skilled Artisan as and when the vacancies arise in C.R.S. or else where in the South Central Railway and pass such other order or orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

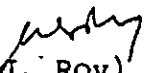
In this case it is urged by the learned counsel ^{matter} for the applicant that this is covered by several decisions including OA No. 1016/92 dated 6-1-93 and also OA 1119/92 dated 6-1-93.

Heard both the sides.

Therefore, we decide to give the same direction as in other OAs in this OA also. The requirement in this case is extending the benefit of the judgement passed in the earlier cases to similarly situated persons and there are several judgements to the effect that the benefits of the judgements should be ^{made} available to all similarly placed persons. If it is not given it amounts to discrimination. Under these circumstances, we repeat the same direction namely that as and when the Group D posts in the outsider's quota become available at Carriage Workshop, Tirupati or any whereelse in the Guntakal Division, the applicant should be considered first before considering any other case in the order of his rank in the empanelment for Group 'C' posts.

The OA is accordingly disposed of with no order as to costs.

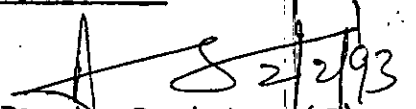

(R. Balasubramanian)
Member (Admn.)


(C.G. Roy)
Member (Judl.)

Open court dictation

Dated 29th January, 1993.

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Deputy Registrar (J)

To

1. The Chief Personnel Officer,
S.C.Rly. Railnilayam, Secunderabad.
2. The Deputy Chief Mechanical Engineer,
Carriage Repair Shop, S.C.Rly Tirupathi.
3. The Workshop Personnel Officer,
Carriage Repair Shop, S.C.Rly, Tirupathi.
4. One copy to Mr. P. Krishna Reddy, Advocate, CAT. Hyd.
5. One copy to Mr. V. Bhimanna, SC for Rlys, CAT. Hyd.
6. One spare copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. V. NEELADRI RAO : V.C.

AND

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

AND

THE HON'BLE MR. CHANDRA SEKHAR REDDY
: MEMBER (J)

AND

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

DATE: 29-7-1993

ORDER/JUDGMENT:

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

in

A.No. 73/93

T.A.No. (W.P.No.)

Admitted and Interim directions
issued.

Allowed

Disposed of with directions

Dismissed as withdrawn

Dismissed

Dismissed for default

Rejected/Ordered

No order as to costs

pvm

