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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

OA. 733/93.

Date of Judgment: 23-9-1995.

Between:-

1. M. Michaelaiah
2. Srimati M. Aregeya Rani
3. G. Chand Babu
4. V. Satyanarayana
5. G. Krishna Reddy
6. M. Laxminarayana
7. M. Prabhakar Rao

Applicants.

And

1. The Telecom District Engineer,
Nalgonda.
2. The Chief General Manager, A. P. Circle,
Deorsanchar Bhavan, Hyderabad.
3. Union of India, reptyd. by the Director
General, Telecommunications, New Delhi.

...

Respondents.

Counsel for the Applicant: Mr. K. Venkateswara Rao

Counsel for the Respondents: Mr. N. V. Raghava Reddy,
Addl. CGSC.

CORAM:

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

HON'BLE SHRI R. RANGARAJAN, MEMBER ADMINISTRATIVE.

DA.733/93

Judgement

(As per Hon. Mr. Justice V. Neeladri Rao, V.C.)

Heard Sri K. Venkateswara Rao, learned counsel for the applicants and Sri N.V. Raghava Reddy, learned counsel for the respondents.

..... ~~who have applied for recruitment to the post of Telecom Office Assistant in Nalgonda Division in pursuance of advertisement dated 25-8-83.~~ It is pleaded for the applicants that they were selected as Telecom Office Assistants (TOA) on regular basis. They were sent for training which commenced from 1-3-1984 on monthly stipend of Rs.195/- which was over by 3-5-84. On completion of training they were posted to work as Short Duty TOAs from the respective dates referred to in the DA (the dates range from 1-6-84 to 15-1-85). They were regularly appointed as TOAs from 12-7-1985, (1-6-1985, 12-7-85 7-3-1986, 12-7-85, 7-3-86 and 12-7-85 respectively. This DA was filed praying for declaration that the applicants are entitled for regular appointment as TOAs with effect from the dates on which they joined as Short duty TOAs with consequential benefits such as seniority etc. as per the judgement in DA.952/92 on the file of this Bench.

3. The plea that was taken for the respondents is that these applicants were not appointed as TOAs on regular basis after completion of training due to ban on recruitment vide DG P&T ND Lr.No.2-1/82-Fin/Cond/ dated 20-1-1984.

Copy to:-

1. The Telecom District Engineer.
2. The Chief General Manager, A.P.Circle,
Deorsanchar Bhavan, Hyderabad.
3. Union of India, repta. by the Director
General, Telecommunications, New Delhi.
4. One copy to Mr. K. Venkateswara Rao, Advocate,
C.A.T. Hyderabad Bench, Hyd.
5. One copy to Mr. N.V. Raghava Reddy, Addl. CGSC,
CAT, Hyd.
6. One copy to Library, CAT, Hyd
7. One spare copy.

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4. The applicant in the OA.952/92 is Sri V. Swamy, who is at serial No. 6 of the Proceeding No.E-3-1/11/48 dated 1-5-1984 (Annexure 3) while the applicants 1,3,4 & 5 herein are at serial Nos.2,1,3 & 4 respectively in A-3. It is thus evident that the above applicants and the applicants in OA.952/92 were selected at a time. On the basis of the plea of the applicants, it is not challenged in the counter, it has to be held that the remaining applicants herein also were selected at the same time. It was held in OA.952/92 by the Bench to which one of us (VC) is a member, that the ban as per letter dated 20-1-1984 is only in regard to creation of new post but not in regard to the filling up of vacancy in the posts which existed. Hence, it was held that the service of the applicant, therein has to be regularised from the date he joined as Short Duty TOA and the monetary benefit had to be given from one year prior to the date of filing of this OA.

5. It may be noted that it was not pleaded for the respondents that at the time of selection for the TOAs, "A" List was prepared in regard to the ^{posts of} _{extent of} number of vacancies existed and "B" List was prepared for 50% of the number empanelled in "A" list as a "Reserved Pool" which is being shown ^{done} in regard to the selection of Postal Assistants.

6. For the reasons stated in the order dated 29-4-1993 in OA.952/92 the services of these applicants have to be regularised with effect from 1-6-84; 27-6-84; 27-6-84; 1-6-84; 27-6-84 and 17-8-84; and 15-1-85 respectively and the monetary benefit had to be given with effect from 21-6-92 as this OA was filed on 21-6-93.

7. The OA is ordered accordingly. No costs.//

(R. Rangarajan)
Member (Admn.)

(V. Neeladri Rao)
Vice Chairman

of 733/93

THPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR. JUSTICE V. NELADRI RAO
VICE CHAIRMAN

A N D

THE HON'BLE MR. R. RANGARAJAN: (M(ADMIN)

DATED 22/9/1995.

ORDER/JUDGMENT:

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

OA. No.

TA. No.

733/93

(W.P.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

No Spare Copy

