

(30)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

DA No.824/93.

Dt. of Order:26-7-93.

- 1.T.V.Vidyasagar Rao
- 2.M.Nageswara Rao
- 3.A.Bhaskar Rao
- 4.M.Sheshagiri Rao

...Applicants

Vs.

1. Union of India rep. by its Secretary/Director, Ministry of Human Resources Development, Department of Youth Affairs & Sports, Sastry Bhavan, New Delhi-110 001.
2. Under Secretary, Department of Youth Affairs & Sports, Ministry of Human Resources Development, Sastry Bhavan, New Delhi-110 001.
3. Director General, Nehru Yuva Kendra Sanghatan, Jawaharlal Nehru Stadium, 1116-B, New Delhi-3.

...Respondents

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Counsel for the Applicants : Shri K.Vasudeva Reddy

Counsel for the Respondents : Shri V.Bhimanna, CGSC

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CORAM:

THE HON'BLE JUSTICE SHRI V.NEELADRI RAO : VICE-CHAIRMAN

THE HON'BLE SHRI P.T.THIRUVENGADAM : MEMBER (A)

(Order of the Divn. Bench passed by Hon'ble  
Shri P.T.Thiruvengadam, Member (A) ).

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The four applicants in this Original Application had joined Nehru Yuva Kendra during the years 1973 to 1975. The Kendra was established by the Union of India and has been functioning under the Ministry of Human

Resources Development till 1988. The applicants joined the Nehru Yuva Kendra Sangathan which was constituted in 1988 as a separate autonomous body, <sup>after abolishing the Nehru Yuva Kendras.</sup> From this date they ceased to be employees of Government and became employees of the autonomous body. In this O.A. the applicants have claimed the following reliefs :-

(i) declare that action of the 1st respondent in not paying the prorata retirement benefits to the applicants as illegal, arbitrary and violation of article 14 and 21 of the Constitution of India;

(ii) Direct the 1st respondent to settle and pay the prorata retirement benefits such as (a) prorata gratuity, (b) propara pension, (c) accumulated GPF, (d) cash equivalent to unavailed earned leave to the credit of applicants before they joined the Sangathan.

2. In a similar Original Application filed in the Bench of Madras Central Administrative Tribunal (OA 126/91) claiming ~~the~~ similar reliefs, <sup>the issues have</sup> been discussed in detail and the following order has been passed:-

"In the result the applicant is entitled for accumulated GPF, at his credit under the government to be transferred to the corresponding account under Nehru Yuva Kendra Sangathan. He is also entitled

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to cash equivalent of  
earned leave at his credit.

He is declared permanent  
permanent as per instructions  
dt.27-3-88 and entitled to  
the pensionary benefits and  
gratuity benefits as if he  
continued in government  
service. He will be paid  
them as and when occasion  
arises.

3. We respectfully agree with the findings of the  
Madras Bench in the above O.A. Similar order as above is  
passed in this O.A. also. Original Application is disposed  
of accordingly at the admission stage itself. No costs.

*P. J. Thiruvengadam*  
(P.T. THIRUVENGADAM)  
Member (A)

*V. Neeladri Rad*  
(V. NEELADRI RAD)  
Vice-Chairman

Dated: 26th July, 1993.  
Dictated in Open Court.

*[Signature]*  
Deputy Registrar (J)

avl/

To

1. The Secretary/Director, Union of India,  
Ministry of Human Resources Development,  
Department of Youth Affairs & Sports,  
Sastry Bhavan, New Delhi-1
2. The Under Secretary, Department of Youth Affairs &  
Sports, Ministry of Human Resources Development,  
Sastry Bhavan, New Delhi-1.
3. The Director General, Nehru Yuva Kendra Sanghatan,  
Jawaharlal Nehru Stadium, 1116-B, New Delhi.
4. One copy to Mr. K. Vasudeva Reddy, Advocate, 4-2-614  
near Tarakarama Theatre, Ramkote, Hyderabad.
5. One copy to Mr. V. Bhimanna, Addl. CGSC. CAT. Hyd.
6. One copy to Library, CAT. Hyd.
7. One spare copy.

pvm

*P. J. Thiruvengadam*  
30/7/93

OA. 824/93

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APPROVED BY

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

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

AND

THE HON'BLE MR. A. B. GORTHY : MEMBER (A)

AND

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

AND

THE HON'BLE MR. P. T. EIRUVENCHANDAM : M(A)

Dated: 26-7-1993

ORDER/JUDGMENT:

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

O.A.No.

T.A.No.

in

824/93

(W.P.)

Admitted and Interim directions  
issued.

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered

No order as to costs.

30/7/93

pvm

