

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

..

O.A.No.976/93.

(per Hon'ble Shri R. Ranga Rajan, Member (A)
Date: March 31, 197.

Between:

1. M.Sanyasi Rao.
2. A.Satyanarayana.
3. V.Nookaraju.
4. V.Ramu.
5. V.Appa Rao.
6. V.Venkata Rao.
7. V. Yellayya
8. S.Sanyasamma.
9. V.Chinna Demudamma.
10. V.Peda Demudamma.
11. V.Sathi Raju
12. V.Sankara Rao.
13. G.Nagabushana Rao.

Applicants.

And

1. The Commanding Officer,
I.N.S.Kalinga, Uppada,
Bheemunipatnam, Visakhapatnam.
2. The Flag Officer, Commanding-in-Chief,
Head Quarters, Eastern Navel Command,
Navel Base, Visakhapatnam.
3. The Chief of Navel Staff, Navel Head
Quarters, New Delhi.

Respondents.

Name of the counsel for Applicant: Sri M.Kesava Rao.

Name of the counsel for Respondents: Sri N.V.Raghava Reddy.

CORAM:

Hon'ble Sri R.Ranga Rajan, Member (A)

JUDGMENT.

Heard Sri M.Kesava Rao, counsel for the
applicant and Sri N.V.Raghava Reddy, ^{learned Counsel} for the respondents.

There are 13 applicants in this O.A. Their
service particulars are given in para 6(a) of the affidavit.

They submit that they are eligible for regularisation

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under Respondent No.1 organisation. They pray this Tribunal to issue direction to the Respondents to regularise their services from the date of their ~~initial -~~ ~~employment.~~



An interim order was passed in this O.A. on 18--8--1993. The said order reads as follows:

"Until further orders, the services of the applicants 1 to 9 and 11 to 13 should not be dispensed with if there is work and if the juniors are allowed to continue."

The learned counsel for the applicants now submits that the Applicant No.10 is also working now. No interim order is given in regard to Sl.No.10 (V.Pedg Demudamma).

A detailed reply has been filed in this O.A. The reply is more or less on the similar lines as was given in O.A.1396/93 which was disposed of on 10-12-1996.

The learned counsel for the applicants now submits that the case of the applicants herein is covered by the judgment of this Tribunal in O.A.1396/93 and that this case may also be disposed off on similar lines.

The learned counsel for the respondents submits that the applicants are contract labourers and they cannot be regularised as they had no locus standi to consider them as Departmental casual labourers, even though on some days the applicants could have worked as Departmental casual labourers. The learned counsel for the respondents also submitted that a direction similar to one given in O.A.1396/93 may be given in this O.A. also.


In view of the above submissions, the following directions are given:


- (a) The applicants, if so advised, may file a representation to the concerned authority within 30 days from the date of receipt of the copy of this judgment. If such a representation is received by the concerned Authority within that stipulated period, that Authority should dispose of the same in accordance with the rules within a period of three months from the date of receipt of such representation.

JL

(b) Till the date of disposal of the applicants' representation, the interim orders as mentioned above will continue.

The O.A., is ordered accordingly. No order as to costs.

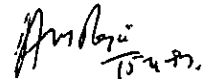

E.S. JAI PARAMESHWAR,
MEMBER (J)


R. RANGA RAJAN
MEMBER (A)

31,397

Date: 31--3--1997.

Dictated in open court.


D.R. (J)