

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA.980/93

date of decision: 23-8-1993

Between

1. V.M.N. Raj
2. L.D. Rao
3. P. Balakrishna
4. K.V.G.S. Ramakrishna Rao
5. K. Narayana Rao
6. M. Jaganadha Rao
7. N. Narasinga Rao
8. B.D. Prasad Rao
9. D.V.P. Raju
10. B. Srinivasa Rao
11. K. Rambabu
12. P. Laxman Rao
13. M. Eswara Rao
14. Dilip Raghunath
15. S.K. Rahim
16. P.M. Jogdhand
17. Ratnakar Muralidhar
18. Kailash Dhamu
19. K. Nageswara Rao, S/o Gejanan
20. K. Nageswara Rao, S/o Narayana Rao
21. Balbir Singh
22. Rajkumar Ramakrishna
23. S.M. Tupkar
24. M.S. Deshkar
25. P.V. Ramana
26. Pandurang Puranlal
27. Md. Jaffer
28. Chhote Lal
29. Aslam Ali
30. Sharad
31. Kashiram
32. Uerrao
33. S.V. Bhagat
34. Narayan
35. Arjun
36. Omprakash
37. Mahesh
38. Shivaraj
39. Bhagirath
40. Vittal
41. Bharat
42. Sunil
43. Mohan
44. Chandrabhan
45. Vilash
46. P. Ramarao
47. Dayaram
48. Ganpat
49. Ravindra Waman
50. Vedu Sukhdeo



that the casual labourers from Nagpur and Mathura working under Chief Project Manager, Railway Electrification, Vijayawada, are to be deployed under ^{other} Railway Electrification Projects. It was made clear that the seniority of the applicants will be maintained in the Nagpur and Mathura projects. The applicants have been directed to be transferred to the Railway Electrification Projects at Ranchi and Danapur. In pursuance of this, orders of relievings were issued to the applicants. This OA has been filed challenging these release orders.

4. The learned counsel for the respondents submitted on the basis of written instructions that Kazipet- Sanathnagar Railway Electrification work on which the applicants have been engaged is completed in all respects excepting for small portion of leftover work. Hence the applicants ^{working as} temporary status as casual labourers have to be redeployed to ~~the~~ other places as per orders of General Manager, Railway Electrification, Allahabad. When there is no work the question of retention of casual labourers at their present place of work does not arise.

5. The learned counsel for the applicants submitted that as and when any Railway Electrification work arises in the jurisdiction of Chief Project Manager, Railway Electrification, ~~the~~ applicants may be considered on preferential basis for engagement. We are informed that the applicants belong to the State of Andhra Pradesh and hence the request is reasonable.

6. Accordingly, R-1 is directed to consider the case of the applicants for engagement in the Railway Electrification works under the control of Chief Project Manager,

APPENDIX

Judgement

(As per Hon. Mr. P.T. Thiruvengadam, Member (Admn.))

Heard Sri P. Krishna Reddy, learned counsel for the applicants and Sri Francis D. Paul, learned counsel for the respondents.

2. The applicants joined Railway Electrification Project as Casual labourers under Chief Project Manager, Railway Electrification, Nagpur and Mathura. On completion of 180 days of work, they were paid scale rate of pay. Subsequently in the year 1988 by different orders they were granted temporary status after they were declared medically fit. The applicants are continuing as temporary status casual labourers under Chief Project Manager, Railway Electrification, Nagpur, and Chief Project Manager, Mathura. In the year 1992 options were called from the applicants to work under Chief Project Manager, Railway Electrification, Vijayawada. Accordingly, almost all the employees gave their options to move over to Kazipet, which formed part of Vijayawada, Railway Electrification Project, and other places under Chief Project Manager, Railway Electrification, Vijayawada. Transfer orders were passed in different batches. The applicants were posted to work in the unit Kazipet-Secunderabad sector of Railway Electrification Project, between May, 1992 and June, 1993. Some of the applicants were working at Kazipet and others ^{were} headquartered at Secunderabad.

3. In proceedings No.RE/63/93 dated 4-6-1993, the applicants were intimated that in terms of message issued by the ~~-----~~ Railway Electrification Project, Allahabad,

32/PC

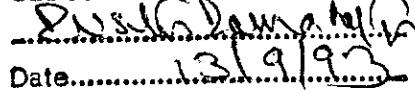
Vijayawada, as and when such works are taken up.

7. This order does not debar the respondents from considering the individual requests for retention in their present place of work till the end of academic year, subject to availability of work.

8. OA is ordered accordingly at the admission stage.

No costs.

CERTIFIED TO BE TRUE COPY


Date.....13/9/92.....

Court Officer
Central Administrative Tribunal
Hyderabad Bench
Hyderabad.

To

1. The General Manager, Railway Electrification, Allahabad.
2. The Chief Project Manager, Railway Electrification, Ranchi.
3. The Chief Project Manager, Railway Electrification, Vijayawada.
4. The Chief Electrical Engineer, Railway Electrification, Danapur.
5. The Deputy Chief Electrical Engineer, Railway Electrification Kazipet.
6. The Divisional Engineer, Railway Electrification, Secunderabad.
7. One copy to Mr.P.Krishna Reddy, Advocate, CAT Hyd.
8. One copy to Mr.Francis D.Paul, SC for Rlys. CAT.Hyd.
9. One copy to Library, CAT.Hyd.
10. One spare copy.

pvm

*Shanti
Rao*