

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

C.P.No.29/95 in
O.A.No.19/93.

Date of order : 8.11.1996.

Between

1. M.Lakshminarayana
2. A.Ramu
3. Md. Ramjan Ali
4. B.Bhaskar Rao
5. S.Gopi
6. K.Rama Rao
7. K.Lakshmanamurthy
8. T.Suribabu
9. V.Satyanarayana

.. Applicants

And

1. *Sri Gopinad singh.*
~~The Commander,~~
Officer-in-charge,
Naval Base,
Ship Building Centre,
Visakhapatnam.

2. ~~Joint Secretary to~~
~~Govt. of India,~~
~~Min. of Defence,~~
~~New Delhi.~~

.. Respondents

Counsel for the Applicants .. Shri K.Vinay Kumar (Absent)

Counsel for the Respondents .. Shri V.Rajeswara Rao for
Shri N.V.Raghava Reddy, Addl.CGS

C O R A M

Hon'ble Shri Justice M.G.Chaudhari : Vice-Chairman

Hon'ble Shri R.Rangarajan : Member(A)

Order

(Per Hon'ble Shri Justice M.G.Chaudhari : Vice-Chairman)

Heard Shri V.Rajeswara Rao for Shri N.V.Raghava Reddy, Addl.
CGSC for the respondents.

2. By order dated 23.9.94 in the O.A. the respondents were directed firstly to continue the applicants' engagement so long as there is work in preference to juniors and freshers, secondly to enter their names in the live casual labour register and thirdly to consider their cases for grant of temporary status and regularisation to each against available Group 'D' posts in accordance with the seniority of the applicants and strictly in accordance with the scheme/instructions.

2. The applicants earlier filed C.P.No.59/94 complaining non-compliance of the order. That C.P. was disposed of on 23.9.94 after recording the undertaking given by the learned Standing Counsel for the respondents that the names of the applicants will be entered at proper places in the live casual labour register. The applicants then filed the second contempt application being C.P.No.1/95. That was also dismissed by order dated 9.3.95 holding that the time/for implementation of the limit undertaking was 6 months under the General Rules. As no time/limit was stipulated under the previous C.P., the contempt application was thus prematurely filed. This is the third contempt application now filed by the applicants.

3. The respondents have filed a reply. The reply shows that the applicants are being engaged so long as the work is available in preference to their juniors strictly in accordance with the direction in the original order. It also appears that the names of the applicants have been entered in the live casual labour register and they have been intimated accordingly by registered letter. It is stated in the reply that the cases of the applicants for regularisation and grant of temporary status were considered by a board of officers convened by the highest authority of the organisation but the applicants were not found eligible for grant of temporary status as they did not fulfil the minimum and mandatory criteria as per the Govt. of India policy in force. The respondents deny that the applicants are not being provided employment as alleged. It is stated that they have been engaged from January, 1995 to July, 1995. It is also denied that the persons mentioned by the applicants as freshers were engaged in preference to applicants. It is stated that they were engaged in the month of April, 1995 along with the applicants engaged along with the applicants in the month of April to meet certain time-bound and unavoidable requirements and the applicants were not denied engagement. We are satisfied

that the directions contained in the original order in the O.A. have been complied with and there is no case disclosed for initiating action in contempt. Accordingly the contempt application is rejected.

प्रमाणित प्रति
CERTIFIED TO BE TRUE COPY

D. Sune
20/11/86

COURT OFFICER

केन्द्र - प्रशासनिक न्यायिकरण
Central Administrative Tribunal

हैदराबाद बेंच
HYDERABAD BENCH