

(20)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

D.A. 1164/93.

Dt. of Decision : 23-8-94.

Mr. D. Appayamma

.. Applicant.

Vs

1. The Divisional Railway Manager,
O/O the Divisional Railway Manager,
SE Rly, Dondaparthy, Visakhapatnam.
2. The Divisional Personnel Officer,
O/O D.P.O. S.E.Railway,
Visakhapatnam.

Counsel for the Applicant : Mr. A.V.Dhanamjaya Rao

Counsel for the Respondents: Mr. C.V.Malla Reddy, SC for Rlys.

CORAM:

THE HON'BLE SHRI A.B. GORTHI : MEMBER (ADMN.)

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O.A. 1164/93.

Dt. of Decision : 23-8-94.

The applicant is widow of late Rayappa, who, while working as Mason under the Inspector of Works, S.E. Railway, Visakhapatnam died on 15-2-1976. Her prayer in this application is for a direction to the respondents to consider her for engagement against a regular post in the railways on compassionate grounds.

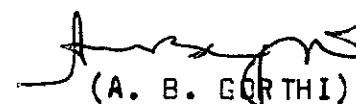
2. The respondents in their reply affidavit have clarified that the husband of the applicant was not a regular employee of the railways. ~~He~~ was only working as a CPC Mason at the time of his death on 15-2-1976. Notwithstanding the same, the respondents, on representation from the applicant, engaged her on several occasions as a Hot Weather Water Woman. Her last engagement was from 10-5-94 to 29-6-94. The respondents further admit that the applicant was screened for regular appointment alongwith similarly situated other widows ~~on~~ a number of occasions, but her case for empanelment had to be rejected because her husband, at the time of death, was only a CPC Casual Labour.

3. Heard learned counsel for both the parties. At the out set, I find that it will be difficult to treat this case as one seeking appointment on compassionate grounds. ~~The~~ employee having died in 1976, there can be hardly any justification for considering the case of the widow for appointment on compassionate grounds at this ~~belated~~ stage. However the applicant ^{has made out} ~~thus have~~ a strong case for ~~continuous~~ engagement as a Hot Weather Water Woman, and also, for her regularisation in accordance with

the extant instructions applicable to such Casual Labour who are engaged seasonally. The applicant ~~has been~~ ~~is being~~ engaged seasonally for the last one decade or more. Her case, therefore, deserves due consideration for regular absorption. In view of ~~the~~ disposed of with the following directions to the respondents:

- 1) The applicant will continue to be engaged ~~as per~~
- 2) Taking into consideration the number of days ^{of} work rendered by her, her case should be considered for regularisation in accordance with her seniority and as per the extant instructions.

4. No order as to costs.


(A. B. GORTHI)
MEMBER (ADMN.)

Dated : The 23rd August 1994.
(Dictated in Open Court)


Anil
26/8/94
DEPUTY REGISTRAR (J)

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Copy to:

1. The Divisional Railway Manager,
O/O The Divisional Railway Manager,
South Eastern Railway, Dondaparthy,
Visakhapatnam.
2. The Divisional Personnel Officer,
O/O D.P.O., South Eastern Railway,
Visakhapatnam.
3. One copy to Mr.A.V.Dhananjaya Rao, Advocate, CAT, Hyderabad.
4. One copy to Mr.C.V.Malla Reddy, SC for Railways, Hyd.
5. One copy to Library, CAT, Hyderabad.
6. One spare copy.

YLKR

30/8/94
PM 25/8/94

Typed by
Checked by

Compared by
Approved by

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR. A. V. HARIDASAN: MEMBER (J)

AND

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

Dated: 23.8.94

ORDER/JUDGMENT.

M.R.P./C.P.NO.

C.A. NO. 1164/93 ⁱⁿ

T.A. NO.

(W.P. NO.)

Admitted and Interim Directions
Issued.

Allowed.

Dismissed with directions.

Dismissed.

Dismissed as Withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

