

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

OA No.1226/93.

Dt. of Order:30-9-93.

V.V.Prabhakar

...Applicant

Vs.

- 1. Divisional Railway Manager,
Hyderabad (MG) Division,
S.C.Railway, Sec'bad-500 371.
- 2. Gazetted Head Master,
Railway High School,
Purna, Aurangabad District,
Maharashtra State.

...Respondents

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Counsel for the Applicant : Shri V.Krishna Rao

Counsel for the Respondents : Shri G.S.Sanghi, SC for Rlys

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CORAM:

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

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

(Order of the Division Bench passed by Hon'ble
Justice Shri V.N.Rao, Vice-Chairman)

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The applicant pleads that he was selected to the
post of Asst.Teacher (English Medium) by a selection commi-
ttee and was appointed as Substitute Asst.Teacher on
11-11-92. His services were terminated by order dt.30-4-93.

(11)

2. This O.A. has been filed praying for setting aside the order dt. ³⁰⁻~~22~~-4-93 and to direct the respondents to re-instate him into service with all consequential benefits.

3. We held in OA 354/93 and batch that substitute teachers have to be considered for regular appointment ~~in regard~~ in regard to any vacancies that may exist after filling-up the posts by the candidates selected at the time of the latest recruitment and also the vacancies which may arise by 31-12-1994.

4. It is stated for the applicant that the process of recruitment is not yet over and there are vacancies in the posts of teachers in various disciplines in schools run by the various divisions of S.C.Railways.

5. The schools ^{were} ~~are~~ re-opened in June, 1993. Already three months elapsed after re-opening. This Tribunal can take ^{cognizance of the fact} ~~the cognizance~~ that the studies of the students will be affected if teachers are not there to take-up the classes. Hence in view of judgment dt. 16-8-93 in OA 354/93 and the factum of sufferance of the ^{students} ~~studies~~ for want of teachers we feel ~~that~~ it just and proper to pass the following order :-

- (i) Respondent No.1 ^{has} ~~have~~ to fill up all vacancies in the posts of teachers/

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To

1. The Divisional Railway Manager,
Hyderabad (MG) Division, S.C.Rly, Secunderabad-371.
2. The Gazetted Head Master, Railway High School,
Purna, Aurangabad Dist, Maharashtra State
3. One copy to Mr.v.Krishna Rao, Advocate, CAT.Hyd.
4. One copy to Mr.G.S.Sanghi SC For Rlys, CAT.Hyd.
5. One copy to Library, CAT.Hyd.
6. One spare copy.

pvm

Asst. teachers, other than those vacancies which need not be filled up for want of work load or adequate ^{It's not the staff} staff from amongst the substitute teachers/asst. substitute teachers who worked in the school, on the basis of their seniority-wise ^{in the unit} and discipline-wise;

(ii) ~~it has to be specified that the~~ ^{the} said appointment will be till the new recruits join. If any of such teachers have to be continued till the commencement of summer recess~~ment~~ in 1994 their services should not be dispense~~d~~ with for that summer recess~~ment~~. Of course if new recruits are going to join during summer, substitute teachers will not have any right to continue as per this order.

6. The case of the applicant has to be considered, if his turn for regularisation comes as per judgment dt.16-8-93 in OA 354/93.

7. Original Application is ordered accordingly.
No costs.

P. J. 20
(P.T. THIRUVENGADAM)
Member (A)

V. Neeladri Rao
(V. NEELADRI RAO)
Vice-Chairman

Dated: 30th September, 1993.
Dictated in Open Court.

av1/

85/10/93
Deputy Registrar (J).

TYPED BY

COMPARED BY

CHECKED BY *DJS*

APPROVED BY

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. GORTHI : MEMBER (A)

AND

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

AND

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

Dated: 30-9 -1993.

ORDER/JUDGMENT:

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

in

O.A.No. 1226/93

T.A.No.

(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.

pvm

Stamp: HYDERABAD BENCH
18 OCT 1993
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