

(31)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.No.1266/93

Date of Order: 18.10.1993

BETWEEN:

G. Mallesh
A N D

.. Applicant.

1. Secretary & Director General of
Technical Development (DGTD)
Udyog Bhavan, New Delhi.
2. Deputy Director (Cash), Directorate
General of Technical Development,
Udyog Bhavan, New Delhi.
3. Development Officer, DGTD,
Regional Office, Hyderabad.

.. Respondents.

Counsel for the Applicant

.. Mr.S.Ramakrishna Rao

Counsel for the Respondents

.. Mr.V.Bhimanna

CORAM:

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

HON'BLE SHRI T.CHANDRASEKHARA REDDY : MEMBER (JUDL.)

Signature

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Order of the Division Bench delivered by
Hon'ble Shri A.B.Gorthi, Member (Admn.).

The applicant, having been sponsored by the Employment Exchange, was duly selected and engaged as a daily wage labourer in the Regional Office of short) at Hyderabad from 12.8.1988. Ever since he has been continuously working in that post and in that grade. Respondent No.3 even took up a case with the higher authorities for regularisation of the applicant's services, as the applicant is a hard working employee and he is from S.C. Community. In the meantime a decision was taken by the authorities concerned to close down ~~all~~ the 5 regional offices including the one at Hyderabad w.e.f. 31.10.1993. In the instruction that has been given for the winding up all the regional offices it has been stated that the services of the daily wage labourers at Madras and Hyderabad have to be dispensed with on or before 31.10.1993. Aggrieved by the same the applicant has filed this application with a prayer for a direction to the respondents to regularise his services in Group-D cadre and to move him also along with the other staff to the headquarters office at New Delhi.

2. Heard Mr.S.Ramakrishna Rao, learned counsel for the applicant and Mr.V.Bhimanna, Standing Counsel for the respondents. Mr.S.Ramakrishna Rao has brought to our notice an order dated 8.10.1993 issued by the DGTD, New Delhi conferring ~~the~~ temporary status on the daily wage labourers including the applicant. According to

the said order the applicant is granted temporary status w.e.f.1.9.1993. Para 2 of the said order is reproduced below:-

"The conferment would not involve any change in their duties and responsibilities. They will continue to be employed on daily rate of pay on need basis. They are liable to be deployed anywhere within the recruitment units of D.G.T.D."

3. From the above para it will be apparent that the applicant will be liable to be deployed anywhere within the recruitment units of D.G.T.D. From the relief also it would be clear that the applicant was willing to go to Delhi along with the other staff members of the regional office.

4. The fact that the applicant has been granted temporary status would not go to show that he acquired right to continue in that post. Notwithstanding the same, keeping in view the fact that the applicant had been working for the last 5 years with the respondent's organisation and that the respondents have conferred temporary status on the applicant, his case for continued retention under the respondents deserves to be considered sympathetically and favourably. In view of this, we dispose of this application at the admission stage itself with a direction to the respondents in the following terms:

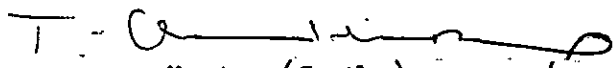
- (A) The applicant should be re-engaged, if there is work either in the head quarters office or in any of the recruitment units of D.G.T.D.
- (B) The case of the applicant will be considered in preference to freshers and those who have rendered lesser length of service under the respondent organisation.

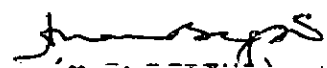
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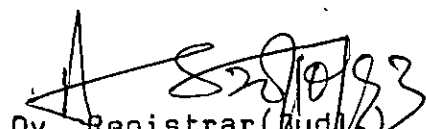
(C) In case the applicant is reengaged under the respondent's organisation, the past service rendered by the applicant in the regional office would reckon for the purpose of regularising his services in Group-D post.

5. The application is thus disposed of without any order as to costs.


Member (Judl.)


Member (Admn.)

Dated: 18th October, 1993
(Dictated in Open Court)


Dy. Registrar (Judl.)

sd

Copy to:-

1. Secretary & Director General of Technical Development (DGTD) Udyog Bhavan, New Delhi. — 11.
2. Deputy Director (Cash), Directorate General of Technical Development, Udyog Bhavan, New Delhi. — *Peri Shree Bhavan*
3. Development Officer, DGTD, Regional Office, Hyd. — 29
4. One copy to Sri. S. Rama Krishna Rao, advocate, CAT, Hyd.
5. One copy to Sri. V. Bhimanna, Addl. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

*etc 2/10/93
Peri Shree Bhavan
7/10/93*

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A-1266/93
TYPED BY

COMPARED BY

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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. GORTHY : MEMBER (A)
AND

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

AND

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

Dated: 12/16/1993

ORDER/JUDGMENT:

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

O.A.No.

in

1266/93

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

