

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.1516/93

Date of Order: 29.4.97

BETWEEN:

S.Prakasam

.. Applicant.

AND

1. Union of India, rep. by
General Manager, S.E.Rlys,
Garden Reach, Calcutta - 43.
 2. Chief Personnel Officer,
S.E.Rly., Garden Reach,
Calcutta-43.
 3. Chief Administrative Officer (Construction),
S.E.Rly., Bhubaneswar, Orissa State.
 4. Chief Project Manager, (Construction),
 5. Dy. Chief Electrical Engineer, S.E.Rly.,
Visakhapatnam - 4.
- .. Respondents.

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Counsel for the Applicant

.. Mr.P.B.Vijay Kumar

Counsel for the Respondents

.. Mr.N.R.Devraj

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CORAM:

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

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J U D G E M E N T

(Oral order as per Hon'ble Shri R.Rangarajan. Member (Admn.) I

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Heard Mr.P.B.Vijay Kumar, learned counsel for the
applicant and Mr.N.R.Devraj, learned standing counsel for
the respondents, ~~and~~ Mr.Sanyasi Rao, S.P.O. Construction ^{was present}

2. This OA was filed praying for a direction to the
respondents to regularise the services of the applicant as
Vehicle Driver Gr.III, II and I ^{and} fix his seniority with all

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consequential benefits along with promotion to the post of Mechanical, Supervisor or Automobile Inspector or any other equivalent post w.e.f. the date of eligibility/vacancy with all benefits.

3. The main contention of the applicant is that he was engaged in the year 1967 as a ^{Camel} temporary employee and his services were confirmed in the year 1978 after due screening. His date of regular appointment ^{was} ~~has been~~ dated back to 1.4.73 consequent upon the policy decision taken by the railways. ~~On 12.8.79 at Ranchi when the~~ applicant was found fit for the post of Light Vehicle Driver. He was later on also subjected to further test on 21.4.80 conducted by the DEN/S/Waltair wherein he was found fit for the post of heavy vehicle driver. Learned counsel for the applicant submitted that the applicant was promoted as Vehicle Driver/Grade-II on 01.04.83. ~~On 17.2.83~~ was further promoted as Vehicle Driver Gr-II w.e.f. 17.2.83 and vehicle driver-I w.e.f. 16.6.85. The applicant submits that he should be confirmed and his services should be regularised w.e.f. 1980 or from the date immediately after the vacancy arose.

4. The respondents have filed a reply. They have submitted that the applicant had to put in 3 years of service for ~~regularisation~~ ^{Gr-III}. His promotion on that basis was regulated. Hence the respondents submit that the applicant cannot demand any further relief in this OA other than already granted. Number of documents were filed in this connection by both sides. ~~to decide the~~ documents and to take a decision we feel that the respondents authorities ^{only} are fit to discharge that job. The Court of

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only lead to a situation where some of the documents may not be possible to be decoded.

5. Under the above circumstances we leave it to R-4 to decide the issue on the basis of the documents produced by the applicant ^{and Respondents} in accordance with the law. Time for compliance is 4 months from the date of receipt of a copy of this order.

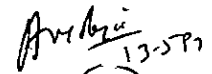
6. The OA is ordered accordingly. No costs.


(B.S. JAI PARAMESHWAR)
Member (Judl.)


(R. RANGARAJAN)
Member (Admn.)

(Dictated in Open Court)

sd


D. R. (J)

SPK
12/6/97
TYPED BY
COMPILED BY

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CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R.R. AGARWAL : M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR:
M(J)

DATED:

29/4/97

ORDER/JUDGEMENT

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

in

D.A.No. 1516/93

ADMITTED INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

YLKR

II COURT

