

(12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

ORIGINAL APPLICATION NO.1067 of 1993

DATE OF JUDGMENT: 3rd September, 1993

BETWEEN:

Smt. T.V.Lalitha Kumari

Applicant

AND

1. The Divisional Railway Manager,  
Hyderabad (MG) Division,  
Secunderabad.
2. The Gazetted Head Master,  
Railway Boy's High School,  
North Lallaguda,  
Secunderabad.

Respondents

HEARD:

COUNSEL FOR THE APPLICANT: Mr. V.Krishna Rao, Advocate

COUNSEL FOR THE RESPONDENTS: Mr. J.R.Gopala Rao, SC for Railways

CORAM:

HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN

HON'BLE SHRI P.T.THIRUVENGADAM, MEMBER (ADMN.)

JUDGMENT

(As per Hon'ble Shri P.T.Thiruvengadam, Member (Admn.)

The applicant was working as Substitute Assistant Teacher in the Railway Boy's High School, Secunderabad under the control of the Divisional Railway Manager, Hyderabad Division, South Central Railway. Vide letter dated 22.4.1993

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the services of the applicant were terminated at the commencement of the summer vacation for the school. The applicant was appointed afresh after opening of the school at the end of the summer vacation.

2. This OA has been filed with a prayer to set-aside the order of termination issued on 22.4.1993 and for continuing the applicant's services without disturbance. It is admitted that the practice of discontinuing the services of Teachers during the summer vacation and re-engaging them afresh at the beginning of the next academic year, has been deprecated by the Supreme Court. The orders of Supreme Court were passed quite a few years back and the applicant should have approached this Tribunal shortly after the date of termination dated 22.4.1993. The applicant has chosen to file this OA only that in August 1993 and in view of the laches, we find/there is no case for setting-aside the order of termination dated 22.4.1993.

3. In an another OA filed in this Bench (OA No.354/93 dated 16.8.1993), a number of similarly placed Substitute Teachers had sought regularisation. It has been held therein by this Tribunal that candidates regularly selected by the process of selection which has already been initiated by the Railway will have to be given precedence in appointment and services of the Substitute Teachers may have to be terminated if/no vacancies to continue them. However, this Bench had also ordered that the Substitute Teachers should be screened for regularisation against any balance of existing vacancies as well as the vacancies that would arise upto the end of 1994.

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4. In view of the above, if the applicant is going to be continued in view of the vacancy position till the commencement of the summer vacation in 1994, her services should not be dispensed with for the summer vacation in 1994.

5. The OA is ordered accordingly at the admission stage.

No costs.

(Dictated in the open Court).

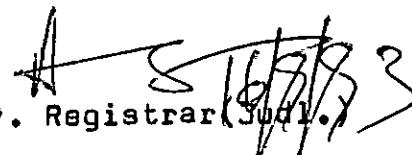
P. T. Thiru

(P.T. THIRUVENGADAM)  
MEMBER (ADMN.)

Neeladri

(V. NEELADRI RAO)  
VICE CHAIRMAN

Dated: 3rd September, 1993.

  
Dy. Registrar (Jud.)

vsn

Copy to:-

1. The Divisional Railway Manager, Hyderabad (MG) Division, Secunderabad.
2. The Gazetted Head Master, Railway Boy's High School, North Lallaguda, Secunderabad.
3. -
4. One copy to Sri. J.R. Gopala Rao, SC for Rbys, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

Rsm/-

30/8/93  
30/8/93

O.A-1067/93

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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: 3/9/1993

ORDER/JUDGMENT: ✓

M.A/R.A/C.A.N.

O.A.No.

in  
1067/93

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.

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