

20

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 245/93.

Dt. of Decision : 26-08-96.

1. Janiga Narasimha
2. Gherkuri Jangaiah
3. Dubbaka Jangaiah
4. Kongari Poohaiah
5. Smt.Jakkidi Sarojanamma
6. Bommidi Balamma
7. Kongari Yadamma
8. Karinga Jananamma
9. Cherkuri Laxmaiah

.. Applicants.

Vs

1. The Union of India, Rep. by the Secretary, Min.of Agriculture, Central Secretariat, New Delhi.
2. The Director General, Indian Council for Agricultural Research, Krishi Bhavan, New Delhi.
3. The Director, Central Research Institute for Dryland Agriculture, Santoshnagar, Hyderabad.
4. The Office-in-charge, Hayathnagar Research Farm, Central Research Institute for Dryland Agriculture, Santoshnagar, Hyderabad.

.. Respondents.

Counsel for the applicant

: Mr. P.Chandra Sekhar Reddy

Counsel for the respondents

: Mr. N.R.Devaraj,Sr.CGSC.

CORAM:

THE HON'BLE SHRI JUSTICE B.C.SAKSENA : VICE CHAIRMAN

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

..2

281

ORDER

Oral Order (Per Hon'ble Shri R.Rangarajan) Member (Admn.)

Heard Mr. K.K.Chakaravarthy for Mr. P.Chandra Sekhar Reddy, learned counsel for the applicants and Mr.N.R.Devaraj, learned counsel for the respondents.

2. There are 9 applicants in this OA. They were engaged as casual labourer between 1970 and 1981 and they were discharged from service between the ~~xx~~ years 1973 to 1988 as seen from the para-5 of the reply statement. After the discharge they were not ~~xx~~ taken into casual service by the respondents.
3. This OA is filed praying for a direction to the respondents to absorb them on permanent basis in suitable Group-D ~~post~~ any other suitable post with regular scale of pay attached to the ~~post~~ said ~~em~~ with all consequential benefits.
4. The applicants were discharged from casual job very much earlier. The last one to be discharged was in the year 1988. The long absence from 1988 and earlier upto ~~xx~~ 1996 cannot be condoned. Hence, they are not entitled for regularisation of Group-D posts on the basis of previous service. They cannot also demand any pay fixation ~~xx~~ on that basis.
5. The applicant~~s~~ had worked in the respondents ~~em~~ for some time. Hence it has to be held that they acquired some knowledge in regard to the work in the ~~em~~ ^{organisation} ~~department~~. Hence, ~~they~~ ^{they} will be advantages to the respondents authorities compared to ~~em~~ freshers who had not worked in that ~~em~~ ^{department} at any time earlier. But that engagement

22

will only from the date of the fresh engagement ^{date} and their seniority and fixation of pay will depend only on that basis, they cannot get any advantage of the previous service even if they are engaged if there is work in future. ~~as a free candidate~~

6. In pursuance of the above direction if the applicants are going to be engaged as a casual labour none of the casual labourers who are already in ^{Camel} service shall be retrenched.

7. The OA is disposed of on the above terms. No costs.

DR

BC Sakse

(R. RANGARAJAN)
MEMBER (ADMN.)

(B.C. SAKSENA)
VICE CHAIRMAN

Dated : The 26th August 1996.
(Dictated in Open Court)

*Ar. 10/10/96
D.R (S)*

spr

9/29/96
08/26/93
Typed By
Compared by

Checked By
Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

The Hon'ble Shri B.C. Saksena: V.C.
THE HON'BLE SHRI R. RANGARAJAN: M(A)

DATED: 26/8/96

ORDER JUDGEMENT
R.A/C.P./M.A.NO.

in
O.A.NO. 265/93

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED
DISPOSED OF WITH DIRECTIONS
DISMISSED
DISMISSED AS WITHDRAWN
ORDERED/REJECTED
NO ORDER AS TO COSTS.

YLKR

II COURT

No Spare Copy

