

(10)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD  
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G.A. 876/94.

Dt. of Decision : 27-9-94.

1. Doddi Apparao *S/o. Paradeni,*
2. Doddi Apparao *S/o. Appala Naidu,*
3. D. Sri Ramulu
4. Doddi Siva Apparao
5. Dadi Venkat Rao
6. Doddi Venkat Rao
7. Saveram Appa Rao
8. Doddi Venkat Rao

.. Applicants.

Vs

1. The Chief Engineer (Navy)9,  
IRSD Area, Visakhapatnam-8-
2. C.W.E.(P), Dry Dock, Naval Base post,  
Visakhapatnam-530 015.
3. Garrison Engineer, (P) E/W,  
C/o. CEW(P) O.D.,  
Naval Base Post, Visakhapatnam-14.
4. Engineer-in-Chief, E-n-C's Branch,  
AHQ, DHQ Post, Kashmeri House,  
New Delhi.

.. Respondents.

Counsel for the Applicant : Mr. V. Venkataramana

Counsel for the Respondents : Mr. N.R. Devaraj, Sr. CGSC.

CORAM :

THE HON'BLE SHRI A.V. HARIDASAN : MEMBER (JUDL.)

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

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25/10/94

DA 876/94.

Dt. of Order: 27-9-94.

(Order of the Divn. Bench passed by Hon'ble  
Shri A.V. Haridasan, Member (J) ).

\* \* \*

The applicants who claim to have served as Casual Labour during the year 1978 to 1981 under the Respondents have now filed this application under section 19 of the A.T. Act, 1985, finding no response to their representation made on 20-12-93 claiming absorption in the existing and future vacancies <sup>sup</sup> pray that the Respondents may be directed to treat the applicants as Industrial Employees and to absorb them in the existing and future vacancies which were sanctioned by the Govt. of India from time to time with all consequential benefits. It has been alleged in the application that several persons similarly situated like the applicants even junior to them have been taken into service by the Respondents towards the vacancies subsequently sanctioned and this Tribunal in DA 1137/91 passed orders directing the Respondents to consider the cases of the applicants therein whenever vacancies arise in the Department.

2. We have gone through the application and have heard counsel on either side. The applicants after their disengagement in the year 1981, thought of making a representation for re-engagement only in December, 1993, i.e. more than 12 years after they were dis-engaged. Learned counsel

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for the applicant argues that the applicants made representation only in December, 1993, because they came to know that certain posts were sanctioned for absorbing persons who had rendered service during the past and some of the persons who rendered lesser service than the applicants also have been re-engaged and absorbed. However, the fact remains that those persons who had been engaged and absorbed towards the vacancies which were released had put forth their claim sufficiently in advance and were vigilant of their rights.

The applicants in OA 1137/91 had filed the application atleast in the year 1991 and they had made their claim for re-engagement much earlier. A one time measure taken up by the Govt. to rehabilitate the Casual Labour who were dis-engaged for want of work should come to its own conclusion and it cannot be a never ending process. If employment opportunities are to be restricted to persons who had rendered service at some foregone period and have forgotten about it, the new generation would find little opportunity to enter into service. Considering all these aspects and taking into account of the fact the applicants were not vigilant like their counter parts who had obtained court orders, we find that this is not a fit case to be admitted, because the applicants are barred by delay and latches from raking up an issue which has become


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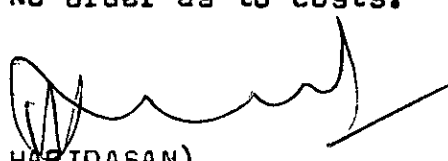
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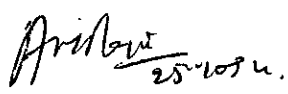
stale. In the result, the application is rejected under section 19 (3) of the A.T.Act, 1985. No order as to costs.

  
(A.B. GORTHI)  
Member (A)

  
(A.V. HARIDASAN)  
Member (J)

Dt. 27th September, 1994.  
Dictated in Open Court.

avl/

  
DEPUTY REGISTRAR(J)

To

1. The Chief Engineer, (Navy) 9,  
IRSD Area, Visakhapatnam. 8.
2. C.W.E. (P), Dry Dock, Naval Base Post,  
Visakhapatnam - 530 015.
3. Garrison Engineer, (P), E/W, C/o ECW (P) O.D.,  
Naval Base Post, Visakhapatnam - 14.
4. Engineer in Chief, E-n-C's Branch,  
AHQ, DHQ Post, Kashmeri House,  
New Delhi.
5. One copy to Mr. V. Venkataramana, Advocate, CAT, Hyderabad.
6. One copy to Mr. N. R. Devraj, Sr. CGSC, CAT, Hyderabad.
7. One copy to Library, CAT, Hyderabad.
8. One spare copy.

YLKR

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the 25/10/94.

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Approved by

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR. A. V. HARIDASAN : MEMBER (J)

AND

THE HON'BLE MR. A. B. GORTHY : MEMBER (A)

Dated: 27-9-94

~~ORDER~~/JUDGMENT.

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

in  
D.A. NO. 876/94  
T.A. NO. (U.P. NO. )

Admitted and Interim Directions  
Issued.

Allowed.

Disposed of with Directions.

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

YLKR

