

(X) 62

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No. 947/94

Date of Order: 31.1.95

BETWEEN :

K.V.Narsimhulu

.. Applicant.

1. Chief Administrative Officer,
(Constructions), Bhubaneswar,
South Eastern Railway,
Orissa State.

1. Chief Project Manager,
S.E.Railway,
Visakhapatnam.

3. Chief Admn. Officer (P),
S.E.Railway,
Calcutta.

.. Respondents.

Counsel for the Applicant

.. Mr.P.B.Vijay Kumar

Counsel for the Respondents

.. Mr.N.R.Devraj

CORAM:

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

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

O.A.No. 947/94

Date of Order: 31.1.95

XN As per Hon'ble Shri A.B.Gorthi, Member (Admn.) X

- - -

The applicant who worked as a casual mazdoor under the Electrical Foreman in the Waltair - Kirandol Railway Electrification Project from 6.2.81 to 21.2.82 claims by means of this application for direction to the respondents to absorb him as a regular Group 'D' employee with all consequential benefits.

The applicant who worked under the respondents during 1981-82 was not given any further assignment till he was engaged in the Hot Weather Establishment from 5.5.92 to 4.8.92. He was again engaged in the same establishment for the period from 25.7.93 to 30.8.93. Thereafter he was not given any work.

3. The respondents in their counter affidavit have not refuted the working of the applicant in 1981-82 and also ~~treating~~ the summer season of 1992 and 1993. They contend that so far as the request of the applicant for regularisation is concerned he will have to wait for his turn as there are a large number of casual labour senior to him in the establishment.

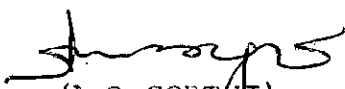
4. Learned counsel for the applicant states that the respondents could consider engaging the applicant as a casual mazdoor on a daily basis instead of merely engaging him in summer season in the Hot Weather Establishment.

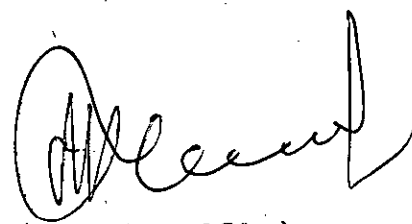
h

5. In view of the afore-stated we deem it just and proper to admit this OA and dispose^{of} it with the following directions to the respondents:-

- (1) The respondents shall re-engage the applicant as and when there is work in preference to outsiders, either in the respondent's office or otherwise, taking into consideration the number of days of work he had rendered under the respondents.
- (2) His case for grant of temporary status/regularisation will be considered in accordance with his seniority and as per the instructions.

The O.A. is ordered accordingly without any order as to costs.

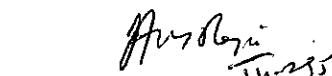

(A.B. GORTHI)
Member (Admn.)


(A.V. HARIDASAN)
Member (Judl.)

Dated: 31st January, 1995

(Dictated in Open Court)

sd


Dy. Registrar (S)

1. Chief Engineer, South Eastern Railway, Brissa (Stationery). Bhubaneswar,
2. Chief Project Manager, S.E. Railway, Visakhapatnam.
3. Chief Admn. Officer (P), S.E. Railway, Calcutta.
4. One copy to Sri. P.B. Vijayakumar, advocate, CAT, Hyd.
5. One copy to Sri. N.R. Devaraj, Sr. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

229-947/44

TYPED BY
CHECKED BY

COMPARED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

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

AND

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

DATED : 31/1/45

ORDER/JUDGEMENT.

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

O.A.No. in 947/44

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

add spare copy

73

