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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH
AT HYDERABAD.

O.A.977 of 1994.

Between

Dated: 20.4.1995.

Paladugu Ravi kumar

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Applicant

And

1. The General Manager, South Central Railway, Railnilayam, Secunderabad.
2. The Chief Personnel Officer, South Central Railway, Rail Nilayam, Secunderabad.
3. The Deputy Chief Mechanical Engineer, Guntupalli Wagon Workshop, South Central Railway, Guntupalli, Krishna District.

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Respondents

Counsel for the Applicant

: Sri.P.Krishna Reddy

Counsel for the Respondents

: Sri. D.Francis Paul, SC for RI

CORAM:

Hon'ble Mr. A.B.Gorthi, Administrative Member

Contd:....2/-

D.A. 977/94.

Dt. of Decision : 20-04-95.

ORDER

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

This is an application from the son of P.Satyanarayana whose land admeasuring 56 cents in Survey No.20/1 and one Acre and 26 cents in Survey No. 20/2 was acquired by the respondents for the construction of ~~Guntupalli Wagon Workshop~~. The claim of the applicant is for a direction to the respondents to consider his case for appointment against the quota meant for land dis-placed persons, keeping in view his educational qualifications.

2. From the award made by _____ and Special Deputy Collector (Land Acquisition) dated 21-06-1975 the following facts emerged:-

a) Survey No:20/1:-

The land under this Survey number belongs to Kondapalli Rajaiah as pattadar. Shri P.Satyanarayana-father of the applicant stated that his father Shri P.Pitchayya purchased 56 cents of land from this R.S.No. through registered deed No.1549 dated 22-04-1961. Accordingly this extent of 56 cents of land in R.S.No.20/1 ~~kind~~ to the share of Shri P.Satyanarayana.

b) Survey No:20/2:-

The land covered by this Survey number was in the name of Shri Gummadi Ketayya as Pattadar and in the names of Shri P.Satyanarayana and Shri P.Pitchayya as enjoyers. According to their family partition, ~~deed~~ No.2797 dated 15-11-1971 registered in Challapalli Sub-Registrar's Office Shri P.Satyanarayana got one acre and 26 cents of land from this R.S.No. 20/2.

3. There is no dispute that land measuring 56 cents from Survey No. 20/1 and one acre and 26 cents from Survey No. 20/2 was acquired from the father of the applicant. From the details of the award referred to above it would also be

apparent that the total land in the name of Shri P.Satyanarayana (father of the applicant) in Survey No.20/1 and 20/2 was acquired by the respondents.

4. The respondents in their reply affidavit have stated that the family of the applicant possessed land measuring 4 acres and 8 cents in Survey No.20/1 and one acre and 26 cents in Survey No.20/2. According to the respondents the land acquired is less than 2 acres and less than 50 per cent of land holding at the time of acquisition. The said contention of the respondents does not appear to be correct in view of the record made in the award of the land acquisition officer dated 21-06-1975. From the proceedings of the award it would be evident that the total land belonging to Shri P.Satyanarayana, that is, 1.26 cents and 56 cents were acquired by the respondents. Consequently, in the considered view that the case of the applicant has to be considered for employment against the quota meant for land dis-placed persons in accordance with the extant rules.

5. Shri D.F.Paul, learned counsel for the respondents stated that the averments made in the reply statement filed by the respondents was essentially based on what has been stated by the applicant himself in his OA. The averments made by the applicant in para-6 (b) of the OA are not very happily worded and remain vague to an extent. However the same read, with the award of the land acquisition officer dt. 21-06-1975 which is part of the record and annexed to the OA will sufficiently establish the facts of the case, as brought out above.

6. In the circumstances the OA is allowed with a direction to the respondents to consider the case of the applicant for employment against ^{the} quota meant for land dis-placed persons in his own turn and in accordance with the extant instructions. No order as to costs.

(A.B. Gorthi)
Member(Admn.)

Dated : The 20th April 1995.
Dictated in Open Court

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TYPED BY
CHECKED BY

COMPARED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

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

AND

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

DATED

20/4/95

ORDER/JUDGMENT

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

O.A.NO.

in

977/ay

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn

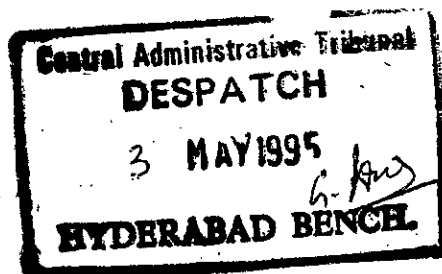
Dismissed for default

Rejected/Ordered.

No order as to costs.

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