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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH

AT HYDERABAD

OA.1447/94

decided on : 6-12-94

Between

1. D. Ramulu
2. Narasaiah
3. Narsimha Reddy
4. Yadagairi
5. Mysaiah
6. P. Somaiah
7. Pratap Reddy
8. Komaraiah
9. C. Narsingrao
10. P. Sathaiah
11. Iyllaiah

: Applicants

and

1. General Manager
South Central Railway
Rail Nilayam
Secunderabad

2. Divl. Railway Manager (MG)
SC Rly/ Hyderabad Divn. at
Secunderabad

3. The Divl. Engr. (Central)
Hyderabad Meter Gauge
Hyderabad Divn. at
Secunderabad

4. Asstt. Engr. (Bldg)/
SC Rly. MG Divn.
Secunderabad

5. Chief Inspector of Works (R)/
South Locomotive
Secunderabad

: Respondents

Counsel for the applicants

: S. S. Kiran Kumar,
Advocate

Counsel for the respondents

: N.R. Devaraj, SC for ~~Respondents~~

CORAM

HON. MR. JUSTICE V. NEELADRI RAO, VICE CHAIRMAN

HON. MR. R. RANGARAJAN, MEMBER (ADMN.)

P.S.

JUDGMENT

I as per Hon'ble Sri R.Rangarajan, Member(Administrative) I

Heard Sri S.S.Kiran Kumar, learned counsel for the applicants and Sri N.R.Devaraj, learned Counsel for respondents.

2. The applicants numbering 11 in this O.A. prayed for a direction to revise the seniority list for reckoning the seniority from the date of attaining temporary status instead of from the date of regularisation as held by this Tribunal in T.A.No.560/87 and O.A.No.89/89.

3. It was held by the Lordships of the Supreme Court in Smt.V.Kameshwari vs. U.O.I* and Ors. 1993(1) SLR 550 SC Y ~~the said amendment has to be reckoned only from the date of regularisation and not from the date of attaining temporary status.~~ or IREM is retrospective and hence the seniority even in regard to the casual labourers who attained temporary status even prior to the date of ~~the said amendment has to be reckoned only from the date of regularisation and not from the date of attaining temporary status.~~

4. It is not the case of the applicants herein that the seniority unit in which they worked/are working, the seniority of any of the ~~employees~~ from the date of attaining the temporary status on the basis of the judgment of this Tribunal or High Court which was delivered earlier to the Supreme Court judgment quoted above.

(31)

5. O.A.No.1443/94, where the applicants therein were similarly situated as the applicants in this OA, was dismissed by order dt. 6.12.1994. As the prayer of the applicants in this OA is identical to the prayer of the applicants in O.A.No.1443/94, and facts of both the cases are similar, this OA is also liable only to be dismissed.

6. Accordingly, the OA is dismissed at the admission stage itself. No costs.

.....
(R.Rangarajan)
Member(Admn.)

.....
(V.Neeladri Rao)
Vice Chairman

Dated 6th December, 1994.

Grh.

2012/13/CC
Deputy Registrar(CC)

To

1. The General Manager, S.C.Rly
Railnilayam, Secunderabad.
2. The Divisional Railway Manager(MG)S.C.Rly,
Hyderabad Division at Secunderabad.
3. The Divisional Engineer(Centre)
Hyderabad Meter Gauge, Hyderabad Division
at Secunderabad.
4. The Assistant Engineer(Bldg.) S.C.Rly,
MG Division, Secunderabad.
5. The Chief Inspector of Works(R)/
South Lalaguda, S.C.Rly, Secunderabad.
6. One copy to Mr.S.S.Kiran Kumar, Advocate 12-2-280, Sharon
Alugaddavavi, Secunderabad.
7. One copy to Mr.N.R.Devraj, SC for Rlys, CAT.Hyd.
8. One copy to Library, CAT.Hyd.
9. One spare copy.

pvm

Parul Dutt
2012/13/CC

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADRI RAO
VICE-CHAIRMAN

AND

THE HON'BLE MR.R.RANGARAJAN : M(ADMN)

DATED: 6 - 12 - 1994

ORDER/JUDGEMTN:

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

in

O.A.No. 1447 194

T.A.No.

(w.p.)

Order and further directions
issued.

Allowed.

Dismissed.

Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected

No order as to costs.

PVM

