

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.589/95

dt.6-11-97

Between

Seera Prabhu Sankara Satya Vara Nagesh : Applicant
and

1. Supdtg. Engineer
Vizag Central Circle
Central PWD Circle Office
Murali Nagar
Near Birla Company
Visakhapatnam 500 007

2. Executive Engr.
CPWD, Circle Office
Murali Nagar, Near Birla Co.
Visakhapatnam

: Respondents

Counsel for the applicant

: N. Ramamehan Rao
Advocate

Counsel for the respondents

: NV Raghava Reddy
CGSC

CORAM

HON. MR. R. Rangarajan, Member (Admn.)

Hon. Mr. B.S. Jai Parameshwar, Member (Judl.)

Jai

OA.589/95

dt.6-11-97

Order

Oral order (per Hon. Mr. B.S. Jai Parameshwar, Member (Judl))

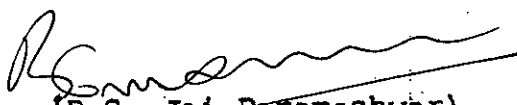
Heard Sri Siva for Sri N.Ramamohan Rao, learned counsel for the applicant and Sri N.V. Raghava Reddy, learned counsel for the respondents.

1. The applicant claims to have worked as Typist in the office of the respondents on daily rate basis with effect from 9-5-1988. It was submitted that he was paid Rs.20 per day and subsequently daily wages were increased to Rs.30/- per day and further enhanced to Rs.41/- per day. The applicant further submits that he was orally terminated by the Respondents during November, 1990. Hence he has filed this OA for a direction to the respondents to regularise the services of the applicant in Group-C post as Typist with all consequential benefits and declare the action of the respondents in terminating the service as illegal and arbitrary.
2. The respondents have filed their counter stating that the applicant was engaged periodically and he had not completed 240 days owing to ban and he was also disengaged from service in 1990. Hence the applicant has not has no right to ask for regularisation in Group-C.
3. During the course of arguments, the learned counsel for the respondents relied upon the decision of the Tribunal in OA.587/91 dated 14-2-1994. The said OA was decided relying upon the observations made in OA.1589/93. Both the sides agree that similar direction may be given in this OA also. Hence, the following direction is given :


"As regards appointment to a Group-C post, it has to be done in accordance with the relevant recruitment rules and it

is open to the applicant to apply for such a post. He can be engaged only if he meets with the specifications laid down in the recruitment rules. However, as regards his engagement in a Group-D post, the respondents shall consider the case of the applicant for such engagement either on a Casual basis, or, on a Regular basis in accordance with the instant scheme/Rules and in preference to juniors and freshers "


4. The OA is disposed of. No costs.


(B.S. Jai Parameshwar)
Member (Judl.)

6.11.97


(R. Rangarajan)
Member (Admn.)

Dated : November 6, 97
Dictated in Open Court


D. R. 17.11.97

sk

DA.588/95

Copy to:-

1. The Supdtg. Engineer, Vizag Central Circle, Central PWD Circle Office, Murali Nagar, Near Birla Company, Visakhapatnam.
2. The Executive Engineer, CPWD, Circle Office, Murali Nagar, Near Birla Co. Visakhapatnam.
3. One copy to Mr. N.Ramamohan Rao, Advocate, CAT., Hyd.
4. One copy to Mr. N.V.Raghava Reddy, Addl.CGSC., CAT., Hyd.
5. One copy to Mr. BSJP M(J), CAT., Hyd.
6. One copy to D.R.(A), CAT., Hyd.
7. One duplicate.

srr

24/11/97

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TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR :
M (J)

Dated: 6/11/97

~~ORDER/JUDGMENT~~

~~M.A/R.A/C.A.NO.~~

in

O.A.NO.

589/95

Admitted and Interim Directions
Issued.

Allowed

~~Disposed of with Directions~~

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

YLKR

II Court

