

(21)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

O.A.NO.629 of 1995.

Between

Dated: 22.11.1995.

V.Satyanarayana Ramesh

...

Applicant

And

1. Admiral Superintendent, Naval Dak Yard, Visakhapatnam.
2. Deputy General Manager(P&A), Naval Dak Yard, Visakhapatnam.

... Respondents

Counsel for the Applicant

: Sri. P.Naveen Rao

Counsel for the Respondents

: Sri. N.V.Ramana, Addl. CGSC.

CORAM:

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

Contd:...2/-

O.A. 629/95.Dt. of Decision : 22-11-95.ORDER

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

The applicant is the son of Late Shri P. Madhava Rao, who died on 22nd July 1978 while working as a Weapon Mechanic in the Naval Dockyard, Visakhapatnam. At the time of the death of the employee, the applicant was only 10 years old. When the applicant attained the age of majority he and his mother approached the authorities concerned for compassionate appointment to the applicant. The respondents, obviously taking a sympathetic view of the matter, provided employment to the applicant as un-skilled labour in 1991. Eversince the applicant continued to work as such till August 1994. Thereafter he was not given any work. The prayer in this OA is for a direction to the respondents to consider the case of the applicant for appointment on compassionate grounds.

2. The respondents in their reply affidavit have stated that the case of the applicant was considered but was rejected for the reason that at the time of the death of the employee he had three major sons besides a minor son (the applicant) and minor daughter. A sum of Rs.5,454/- was paid towards gratuity and likewise Rs. 2392/- as GPF and Rs.5,000/- of CGIES were also paid. Besides, the family was given pension of Rs. 475/- per month + relief.

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3. In view of what is stated above, I am inclined ^{not to} ~~not~~ to interfere with the respondents' decision to reject the case of the applicant for appointment on compassionate grounds. At the same time, I find that the applicant having worked as ^{an} un-skilled labour under the respondents for the period from 1991 to 1994 is entitled to the benefit of casual labour (granting temporary status) scheme introduced by the Government of India for protecting the interest of casual labour. Accordingly this OA is disposed of with a direction to the respondents to re-engage the applicant as a casual labour as soon as there ^{is} work under the respondents and in preference to freshers and those who rendered lesser number of days of service than the applicant. For this purpose, no casual labour presently engaged need be retrenched. After re-engaging the applicant his case for grant of temporary status/regularisation will be considered by the respondents in accordance with the extant scheme.

4. The OA is ordered accordingly. No costs.

Amrit Singh
(A.B. Gorathi)
Member (Admn.)

Arora
Deputy Registrar (Judl.)

Dated : The 22nd Nov. 1995.
(Dictated in Open Court)

Copy to:-

1. Admiral Superintendent, Naval Dak Yard, Visakhapatnam.
2. Deputy General Manager (P&A), Naval Dak Yard, Visakhapatnam.
3. One copy to Sri. P. Naveen Rao, advocate, CAT, Hyd.
4. One copy to Sri. N.V. Ramana, Addl. CGSC, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

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DA 629/95

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

HON'BLE MR. A. B. GORTHI, ADMINISTRA-
TIVE MEMBER.

HON'BLE MR.

JUDICIAL MEMBER.

ORDER/JUDGEMENT:

DATED: 22/11/1995.

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

IN

O.A.NO.

629/95

T.A.NO. (W.P.NO.)

ADMITTED AND INTERIM DIRECTIONS ISSUED.

ALLOWED.

DISPOSED OF WITH DIRECTIONS.

DISMISSED.

DISMISSED AS WITHDRAWN.

DISMISSED FOR DEFAULT.

ORDERED/REJECTED.

NO ORDER AS TO COSTS.

* * *

Rsm/-

No Spare Copy

Central Administrative Tribunal
DESPATCH
11 DEC 1995 Nsf
HYDERABAD BENCH.

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