

(13)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH: AT
HYDERABAD.

C.A.NO. 795/95

DATE OF JUDGMENT: 13.7.95

BETWEEN:

1. M. Venkateswarlu
2. R. Balakrishna

Applicants

AND

1. The General Manager,
Ordnance Factory Project,
Govt. of India,
Ministry of Defence,
Eddumailaram,
Medak District.
2. The District Employment Officer,
Sangareddy,
Medak District.

COUNSEL FOR THE APPLICANT: SHRI S. LAKSHMA REDDY

COUNSEL FOR THE RESPONDENTS: SHRI NR DEVARAJ
Sr/Adv. CGSC.

CORAM:

HON'BLE SHRI JUSTICE V. NEELADRI RAO, VICE CHAIRMAN
HON'BLE SHRI A. B. GORTHI, MEMBER (ADMN.)

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O.A.No.795/95.

JUDGMENT

Dt: 13.7.95

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN)

Heard Shri S.Lakshma Reddy, learned counsel for the applicants and Shri N.R.Devaraj, learned standing counsel for the respondents.

2. These two applicants were empanelled on 22.4.1991 for the post of Mill Wright Mechanic (Semi Skilled) on the basis of their selection from among the candidates sponsored by the Employment Exchange. These applicants are at Sl.Nos. 1 and 6 respectively. When those who are at Sl. Nos. 2, 5, 8 and 10 filed OA No. 944/94 praying for direction to the respondents to issue appointment orders to them for the posts of Mill Wright Mechanic (SS) on the basis of their empanelment in 1991, the following order was passed on 24.1.95 by the Bench of which one of us is party (Vice-Chairman):-

"R1 has to issue orders of appointment to the applicants 1&3 for the posts of Mill Wright Mechanics by 1-5-95 if necessary by creating supernumerary posts failing which those two applicants will be entitled to the salary and emoluments for the said post from 1-5-1995. As and when the applicants 1&3 are appointed, they have to be placed as seniors to Shri N.

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Rajasekhar & other 5 apprentices who were appointed as Mill Wright Mechanics from 8-3-94 to 5-7-94. The applicants 2&4 are free to file M.A. if so advised and if they are going to get affidavits from the others in the panel dated 22-4-1991 to the effect that they are not interested in having the job in R1 organisation in pursuance of their empanelment in the list dated 22-4-91. If so filed, the same will be considered in accordance with law."

3. It was represented during the consideration of the said OA that there was no vacancy in the post of Mill Wright Mechanic (SS) ^{and} as six apprentices were appointed, it was felt that the first six in the ^{order similar to} panel should have been appointed instead ~~of~~ the apprentices and hence the order was given for the immediate appointment of the applicants 1 and 3 therein as they are at Sl.Nos. 2 and 5 respectively. As these two applicants are stated to be at Sl.Nos. 1 and 6 respectively of the said panel, the order which was passed in favour of the applicants 1 and 3 in OA 944/94 has to be passed in favour of these two applicants.

4. In the result, this OA is disposed of as under:-

If these two applicants are at Sl.Nos. 1 and 6 of the panel dated 22.4.1991 in Proceedings No.09225/

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Admn./Ordnance Factory Project/Medak/91, ~~as~~ they have to be given the orders of appointment for the post of Mill Wright Mechanic (SS) by 1-11-1995, if necessary by creating supernumerary posts, failing which these two applicants will be entitled to salary and emoluments for the said post from 1-11-1995.

5. The OA is ordered accordingly at the admission stage. No costs.

passays
(A.B.GORTHI)
MEMBER (ADMN.)

Neeladri Rao
(V.NEELADRI RAO)
VICE CHAIRMAN

DATED: 13th July, 1995.
Open court dictation.

Yashin
Deputy Registrar (J)CC

To

vsn

1. The General Manager, Ordnance Factory Project, Govt. of India, Ministry of Defence, Eddumailaram, Medak Dist.
2. The District Employment Officer, Sangareddy, Medak Dist.
3. One copy to Mr. S. Lakshma Reddy, Advocate, CAT. Hyd.
4. One copy to Mr. N. R. Devraj, Sr. CGSC. CAT. Hyd.
5. One copy to Library, CAT. Hyd.
6. One spare copy.

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COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

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

A N D

A. B. GOSWAMI

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

DATED 13/7 1995.

ORDER/JUDGMENT:

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

in

OA. No.

795/95

TA. No.

(W.P.)

Admitted/ and Interim directions
issued.

Allowed.

Disposed of with directions.

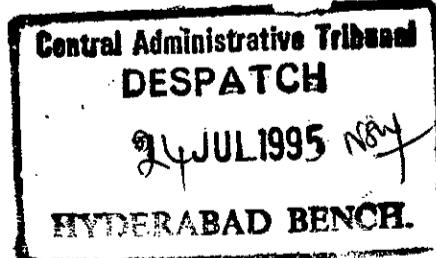
Dismissed. at the admission stage

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.



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