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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD.

O.A.NO.829 of 1995.

Between

Dated: 21.12.1995.

Yanamadala Venkateswara Rao

...

Applicant

And

1. ~~The Chairman, Railway Board, New Delhi.~~
2. The General Manager, South Central Railway, Railnilayam, Secunderabad.
3. The Chief Personnel Officer, South Central Railway, Railnilaya Secunderabad.
4. The Deputy Chief Mechanical Engineer, South Central Railway, Guntupalli, Wagon Workshop, Guntupalli, Krishna District.

...

Respondents

Counsel for the Applicant

: Sri. K.Lakshminarasimha

Counsel for the Respondents

: Sri. G.S.Sanghi, SC for Rlys.

CORAM:

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

Contd:....2/-

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O.A.829/95.

Dt. of Decision : 21-12-95.

ORDER

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

The applicant is the husband of Smt. Vijayalakshmi, whose share of land measuring ~~at~~ ^{an} acre 0.28 cents in Survey No. 81/4 in Guntupalli was acquired for the construction of Wagon Workshop by the railways. After the acquisition of the land the applicant married Smt. Vijayalakshmi. The land originally belongs^{ed} to the Hindu undivided family but the father of Smt. Vijayalakshmi took necessary steps by approaching the competent Civil Court for ^{the} partition ^{of the} land, according to which the applicant's wife got ~~is~~ 0.28 cents as her share.

2. The respondents opposed the claim of the applicant by stating in their counter affidavit that the request of the applicant for employment was received after the prescribed date. They ~~further~~ contended that the applicant being the husband of the person losing the land, is not entitled to claim employment against the land losers' quota. They further stated that a member of the joined family, namely Shri P. Narasimha Rao, was already given employment against land losers' quota.

3. Heard learned counsel for both the parties and perused the record. The record clearly indicates that the share of the applicant's wife in the landed property of the family was 0.28 cents and that it was acquired by the railways. Another ~~older~~ sister of Smt. Vijayalakshmi, who also got 0.28 cents of land as her share was married to Sri Ch. Lakshmi Narayana Rao. The said Lakshmi Narayana Rao filed O.A. 63/92 claiming employment against the land losers' quota. That O.A. was allowed vide order dated 26-02-1993 with a direction to the respondents to offer

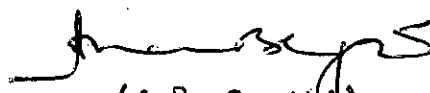
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suitable job to Sri Ch. Lakshmi Narayana Rao treating him as a land displaced person.

4. In view of the above, there is no reason why the same benefit cannot be given to the applicant before me. Accordingly this OA is allowed with a direction to the respondents to offer suitable employment to the applicant in his own turn and in accordance with extant instructions.

5. The OA is ordered accordingly. No costs.


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

Dated : The 21st December 1995.
(Dictated in Open Court)


Deputy Registrar (Judl.)

Copy to:-

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1. The Chairman, Railway Board, New Delhi.
2. The General Manager, South Central Railway, Railnilayam, Secunderabad.
3. The Chief Personnel Officer, South Central Railway, Railnilayam, Secunderabad.
4. The Dy. Chief Mechanical Engineer, South Central Railway, Guntupalli, Krishna District.
5. One copy to Sri. K. Lakshminarasimha, advocate, CAT, Hyd.
6. One copy to Sri. *G. S. Sanghi*, SC for Rlys, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

Rsm/-

829/95

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD.

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

~~HON'BLE SHRI~~

DATED:

21/12/95

ORDER/JUDGMENT

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

~~IN~~

O.A. NO.

829/95

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED / REJECTED

NO ORDER AS TO COSTS

* * *

No Spare Copy

केन्द्रीय प्रशासनिक अपील न्यायालय Central Administrative Tribunal मेम्बर/MEMBER 69 JAN 1996 हैदराबाद बेंच/बिच HYDERABAD BENCH
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