

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.1237/95

Date of Order: 17.4.97

BETWEEN

1. Devanna
2. Dayaswamy
3. K.Narayana
4. Sawari
5. Basanna
6. Beesanna
7. Abraham

.. Applicants.

AND

1. Chief Personnel Officer,
S.C.Rly., Rail Nilayam, Secunderabad.
2. Divisional Railway Manager (MG)
Hyderabad Division, S.C.Rly.,
Secunderabad.
3. Divisional Engineer (Maintenance),
Hyderabad Division (MG),
S.C.Rly., Secunderabad.
4. Assistant Engineer, S.C.Rly.,
Kurnool, Kumool Dist.
5. Permanent Way Inspector,
S.C.Rly., Nizamabad

.. Respondents.

Counsel for the Applicant .. Mr. P.Krishna Reddy
Counsel for the Respondents .. Mr.D.F.Paul

CORAM:

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

J U D G E M E N T

X Oral order as per Hon'ble Shri R.Rangarajan, Member (Admn.) X

Heard Smt. Sarada for Mr.P.Krishna Reddy, learned
counsel for the applicant and Mr.V.Bhimanna for Mr.D.F.Paul
for the respondents.

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2. There are seven applicants in this OA. They were working as Casual Labourers under CPWI, Nizamabad as Gangman ~~for~~ ~~in~~ Monsoon Patrolling duty ~~as~~. It is stated that all of them were appointed on Monsoon Patrolling duty under PWI, Kurnool in the year 1984 and that they were brought on the authorised pay scales prior to 1991 after medical examination. They submit that their services are not regularised and they were also not re-engaged as casual labourers.

3. This OA is filed praying for a direction to the respondents to re-engage them with all consequential benefits and for a further direction to the respondents to regularise their services as Class IV.

4. Reply has been filed in this OA. It is stated in the reply that the applicants are born on the live register of CPWI, Kurnool and they were engaged as casual labour in the year 1991 for Monsoon Patrolling duty under PWI, Nizamabad. It is further stated that the applicants will be regularised in their turn as and when vacancies arises in future under CPWI, Kurnool. It is also stated that no juniors to them have been engaged as casual labours. The services of these applicants will be taken on casual basis in future ~~engaging~~ ^{if there is work} them as casual labours in accordance with the seniority in the live register.

5. The contentions and prayer in this OA and the reply given by the respondents in this OA are similar to the contentions raised by the applicants and the reply given by the respondents in OA.1222/95 which was disposed of today. In view of the above we follow the same direction as given in OA.1222/95 and direct as follows:-



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6. The applicants should be regularised in their turn
as and when vacancies arise in future, if their names are
in the live register. They should also be considered for
re-engagement for future works as casual labourers if there
is need to engage some casual labourers for that work in
accordance with the seniority in the live register.

7. The OA is ordered accordingly. No costs.

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(B.S. JAI PARAMESHWAR)
Member (Judl.)

17.4.97

Me E
(R.RANGARAJAN)
Member (Admn.)

Dated : 17th April, 1997

(Dictated in Open Court)

sd

Avb
D.R. (5)

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Copy to:

1. Chief Personnel Officer, South Central Railway, Railnilayam, Secunderabad.
2. Divisional Railway Manager, (MG), Hyderabad Division, South Central Railway, Secunderabad.
3. Divisional Engineer (Maintenance), Hyderabad Division, (MG), South Central Railway, Secunderabad.
4. Assistant Engineer, South Central Railway, Kurnool, Kurnool District.
5. Permanent Way Inspector, South Central Railway, Nizamabad.
6. One copy to Mr.P.Krishna Reddy, Advocate, CAT, Hyderabad.
7. One copy to Mr.D.F.Paul, Addl.CGSC, CAT, Hyderabad.
8. One copy to D.R.(A), CAT, Hyderabad.
9. One duplicate copy.

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TYPED BY
COMPIRED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 17/4/87

ORDER/JUDGEMENT
R.A/C.P/M.A.No.

in
O.A. No. 1237/95

~~ADMITTED INTERIM DIRECTIONS ISSUED~~
~~ALLOWED~~
~~DISPOSED OF WITH DIRECTIONS~~
~~DISMISSED~~
~~DISMISSED AS WITHDRAWN~~
~~ORDERED/REJECTED~~
~~NO ORDER AS TO COSTS~~

YLKR

II COURT

