

(19)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH
AT HYDERABAD.

O.A.NO.213 of 1995.

Between

Dated: 28.2.1995.

B.Venkataswamy

...

Applicant

And

1. The Divisional Officer, Telegraph Traffic Division,
Kurnool, Kurnool District.
2. The Asst. Superintendent, Telegraph
Chittoor, Chittoor District.

...

Respondents

Counsel for the Applicant : Sri. S.V.Munni Reddy

Counsel for the Respondents : Sri. N.V.Ramana, Addl. CGSC.

CORAM:

Hon'ble Mr. A.V.Haridasan, Judicial Member

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

Contd:...2/-

90

- 2 -

OA 213/95.

Dt. of Order: 28-2-95.

(Order passed by Hon'ble Shri A.V. Haridasan, Member (J)).

* * *

The applicant who is working as a part time Watchman under the Respondent No.2 had filed OA 492/90 aggrieved by the order dt.1-6-90 to the effect that his services would be terminated with effect from 1-7-90 on attaining the age of 60 years while according to him he would attain the age of 60 years only on 29-3-1996. That O.A. was disposed of by order dt.27-6-90 directing the applicant to submit a representation to the Respondent No.1 within 2 weeks and that the applicant should be continued in service till the representation is disposed of. Pursuant to the directions, the applicant submitted a representation dt.6-7-90 to the Respondent no.2 herein. Thereafter the applicant was also directed to appear before the Medical Officer for ascertaining his age. The representation of the applicant has not yet been disposed-of. Alleging that the Respondent No.2 has directed the applicant not to attend the office from next week the applicant has filed this application praying that the action of the Respondents in instructing the applicant not to attend office may be declared as illegal, unjust and also to direct the Respondents to allow the applicant to continue on duty till further order and also to consider his case for regularisation. When the application came up for hearing, Shri N.V. Ramana, Counsel for the Central Government under instructions from the departmental representative stated that the

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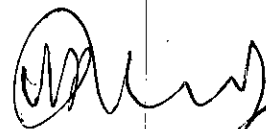
1. The Divisional Officer, Telegraph Traffic Division, Kurnool, Kurnool District.
2. The Asst. Superintendent, Telegraph Traffic, D.T.O. Chittoor, Chittoor District.
3. One copy to Sri. S.V.Munni Reddy, advocate 16-2-147/60
4. One copy to Sri. N.V.Ramana, Addl. CGSC, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

Rsm/-

Respondents have decided to continue the services of the applicant until his representation is disposed of and to regularise his services in accordance with his entitlement and in accordance with the rules and instructions on the subject. In


view of this, I find that the Respondents have decided to grant the relief which he has sought for in this application. Therefore the application can be disposed of with appropriate directions. In the result, the application is admitted and disposed of directing the Respondents to allow the applicant to continue in service till the disposal of the representation submitted by him and if the representation is disposed of in favour of the applicant, he may according to the altered date of birth. The Respondents are also directed to consider the case of the applicant for regularisation of service in accordance with the rules and instructions in that behalf. There is no order as to costs.


(A.B. GORTHI)
Member (A)


(A.V. HARIDASAN)
Member (B)

Dt. 28th February, 1995.
Dictated in Open Court.

avl/


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28-2-1995 (3)

C.M.T. ... 4/-

In the CAT Hyd Bench
Hyd.

4m Mr. HAVA M(B)
1m Mr. HABA M(R)

Judgment

dt. 28/2/95

in

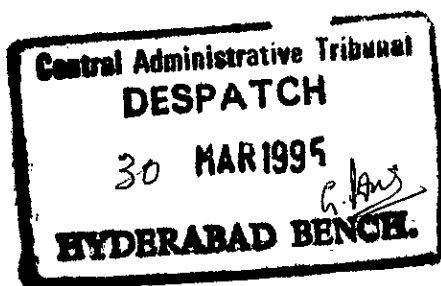
OA - 213/95

OA disposed of
with directions.

No order as to costs.

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