

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.265/95.Dt. of Decision : 29-07-97.

1. G.Subba Rao
2. K.Siddaiah
3. S.Raghuramaiah
4. Gothala Venkateswarlu
5. Thadiyakula Venkateswarlu
6. Thanga Venkateswarlu
7. Y.Subrahmanyam

.. Applicants.

Vs

1. The Divl.Rly.Manager,
SC Rly, Vijayawada.
- 2 The Sr.Divl.Engineer,
SC Rly, Vijayawada.
3. The Sr.Divl.Personnel Officer,
SC Rly, Vijayawada.
4. The Asst.Engineer,SC Rly,
Eitragunta, Nellore District.

.. Respondents.

Counsel for the applicants : Mr.F.Sridhar Reddy

Counsel for the respondents : Mr.V.Rajeswara Rao, Addl.CCSC.

CORAM:-

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

ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMIN.))

Heard Mr.P.Sridhar Reddy, learned counsel for the applicants and Mr.V.Rajeswara Rao, learned counsel for the respondents

2. There are 7 applicants in this OA. They are working as Casual Labourers under the control of the Asst.Engineer,SC Rly, Bitragunta, Nellore District. But by the time of filing this CA applicant No.2 had already been regularised. The rest of the applicants were also regularised subsequently. As per the service particulars enclosed at page-21 to the OA, the applicants were granted temporary status on 10-08-76. But subsequently that date was reckoned from 10-08-90.

3. The applicants submit that they were regularised w.e.f., 10-08-76. ^{But} they were given some break of service some time in 1979 and 1980 and they were re-engaged also after the break. But their previous service were not considered and they were given temporary ^{status} service from 10-08-80. In the mean time three of their juniors ^{whose names are} mentioned ~~names~~ in the same page at 21 were given temporary status from 10-08-77. Thus the applicants lost their fixation of pay and seniority.

4. This OA is filed praying for a direction to the respondents to grant continuity of service and other consequential benefits namely grant of increments, leave etc., w.e.f., the date of their attainment of temporary status as accorded to them w.e.f., 10-08-76 and extend the benefits that has been accorded to their juniors in the Memo No.B/P.525/VII/BTTR/Vol.II dt. 17-11-1993.

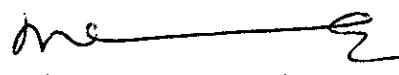
5. The applicant No.4 has filed a representation dated 12-2-94 (Page-15 to the OA) requesting for counting the seniority from 10-8-7 and also ~~other~~ ^{other} grant of monetary rates of pay from that date. It is stated that similar applications have been filed by the other ~~applicants~~ ^{though} applicants also, ~~they~~ they are not enclosed to the OA. Those representations are yet to be disposed of.

-3-

6. The issue involves grant of temporary status from 1976 earlier to 10-08-80, ^{as} shown in page-21 of the CA. This would mean that the seniority also ~~will~~ ^{may} be ~~not~~ altered. As none of the affected private parties are impleaded I am of the opinion that the applicants should approach the respondents to get the relief asked for in this CA. As stated earlier R-4 had already filed his representation dated 12-2-94. It is also stated that similar applications have ^{been} filed by the other applicants also. One more representations ^{dt. 7-1-94} by all the applicants have been filed (Page-17 of the OA). Even that representation is yet to be disposed of.

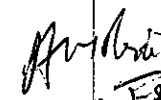
7. In view of the above, I feel that justice will be done if R-3 is directed to consider their cases as projected by them in their representation and decide the issue quickly preferably within 4 months from to-day.

8. With the above ^{direction} ~~order~~ the OA is disposed of. No costs.


(B. RANGARAJAN)
MEMBER (ADMM.)

Dated : The 29th July, 1997,
(Dictated in the Open Court)

spr


D.R. (S) ^{F.S.S.}

Copy to :-

1. The Divisional Railway Manager, South Central Railway, Vijayawada.
2. The Senior Divisional Engineer, South Central Railway, Vijayawada.
3. The Senior Divisional Personnel Officer, South Central Railway,
Vijayawada.
4. The Assistant Engineer, South Central Railway, Bitragunta, Nellore.
Dist.
5. One copy to Mr. P. Sridhar Reddy, Advocate, C.A.T. Hyd.
6. One copy to Mr. V. Rajeswara Rao, Addl. CGSC, CAT, Hyd.
7. One copy to The D.R. (A).
8. One Duplicate Copy.

Upr

28/8/97

(8)

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

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

DATED: 29/7/97

ORDER/JUDGEMENT

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

in

O.A.NO. 265/95

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions,

Dismissed

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLR

II Court.

