

(27)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH
AT HYDERABAD

O.A.No. 279/95

Dt. of order: 01st March, 1995

Between

1. Sri G.Ramulu
2. Sri B.Polayya
3. ^ ^ ^ B Adinaravava
4. Sri M.Chalapathi Rao
5. Sri V.Kasi Babu .. Applicants

and

1. Union of India rep. by
Secretary, Min. of Defence
New Delhi.
2. Flag Officer, Commanding-in-Chief
Headquarters, Eastern Naval Command
Visakhapatnam
3. Officer I/C Naval Coast Battery
Visakhapatnam
4. General Manager, Naval Armament Dept.,
Visakhapatnam .. Respondents

Counsel for the Applicant :: Mr V.S.Sastry

Counsel for the respondents :: Mr NV Ramana

CORAM:

HON'BLE SHRI A.V. HARIDASAN, MEMBER (JUDL.)

HON'BLE SHRI A.B. GORTHI, MEMBER (ADMN)

ORDER

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

The applicants in this OA are working as Chowkidars in the Naval Coast Battery, Visakhapatnam,

in the Government Department Visakhapatnam and the relief being claimed is for a direction to the respondents to treat them as having been regularly appointed from the date(s) of their initial engagement.

2. Applicant No.1 joined as casual chowkidar on 4.11.72 and was regularised on 1.9.1981. Applicant No.2 joined as Chowkidar on casual basis on 21.1.1977 and was regularised in the year 1983. Applicant No.3 was engaged as Chowkidar on casual basis on 4.11.1972 and was regularised on 01.09.1981. The 4th applicant joined as chowkidar on casual basis on 1.12.1978 and his services were regularised on 17.11.1983. The 5th applicant joined as Chowkidar on casual basis on 4.11.1972 and he was regularised on 10.01.1980.

3. In the Naval Establishments under Eastern Naval Command, a large number of employees were initially engaged on casual basis and their services were regularised later on. Some aggrieved persons initially approached the High Court of AP and obtained relief, to the effect, that they should be deemed ^{to have been} regularly appointed from the date(s) of their initial engagement. Thereafter, similarly situated employees approached the Tribunal in various OAs and obtained similar relief.

Copy to:-

1. Secretary, Ministry of Defence, Union of India, New Delhi.
2. Flag Officer, Commanding-in-Chief Headquarters, Eastern Naval Command, Visakhapatnam.
3. Officer/ I/C Naval Coast Battery Visakhapatnam.
4. General Manager, Naval Armament Dept., Visakhapatnam.
5. One copy to Sri. V.S.Sastry, advocate, CAT, Hyd.
6. One copy to Sri. N.V.Ramana, Addl. CGSC, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

Rsm/-

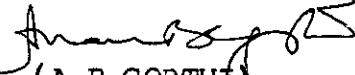
29

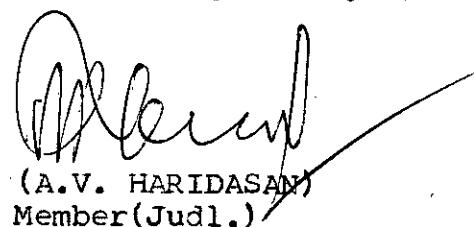
O.A.No.279/95 ..3...

4. Learned counsel for the applicant has drawn our specific attention to our decision dated 22.6.1994 in OA 800/91. In that order, a reference was made to some of the previous OAs filed in the Tribunal. It those cases, were Assistant Storekeepers, LDCs, Stenotypists, peons, malis, safaiwalas and Telephone Operators. Mr Sastry therefore contends that there can be no justification why the applicant before us should be denied similar benefits.

5. Learned Standing Counsel for the respondents states that the respondents shall verify the facts stated by the applicants in the OA and as they seem to be similarly situated as those applicants in the other OAs, necessary relief can be given to the applicants in this OA also.

6. In view of the above, we dispose of this application with the consent of the counsel for both the parties at the admission stage itself, with a direction to the respondents to regularise the services of the applicants with effect from the date(s) on which they were initially engaged as casual chowkidars. No costs.

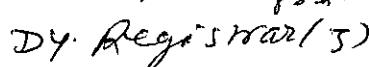

(A.B.GORTHI)
Member(Admn)


(A.V. HARIDASAN)
Member(Judl.)

Dated: The 1st March, 1995

(Dictated in the open court)

mvl


D.Y. Registrar/J

Contd - 41

OA-279/95

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

THE HON'BLE MR.A.V.HARIDASAN : MEMBER(J)

AND

THE HON'BLE MR.A.B.GORTHI : MEMBER(A)

DATED : 13/3/95

~~ORDER/JUDGEMENT.~~

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

Q.A.N.C. 279/95

Admitted and Interim directions issued

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

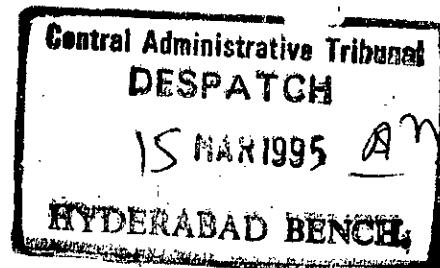
Dismissed for Default.

Rejected/Ordered

No order as to costs.

No separate copy

YLKR



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