

23
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.402/95

Date of decision : 28-4-95

Between

1. Katta Swamy	38. Krishnaiah
2. M.Ramulu	39. E.Yadgiri
3. Pochaiah	40. Yadaiah
4. Khaja Ghous	41. K.Sarvaiah
5. C.Yadagiri	42. S.Muthayalu
6. Ila Veera Swamy	43. S.Laxmaiah
7. M.Yadaiah	44. Krishtaiah
8. G.Yellaiah	45. A.Swamy
9. Ramulu	46. Yadagari
10. Muthaiah	47. K.Addaiah
11. G.Bala Raj	48. Buchaiah
12. Bacaiah	49. G.Narasimha
13. A. Ramulu	50. S.Yadagiri
14. Lingamaiah	51. Iylaiah
15. Ramulu	52. N.Yadaiah
16. Pentaiah	53. Sattaiah
17. J.Bikshapathi	54. A.Yadagiri
18. Venkatiah	55. Anjaiah
19. Balaiah	56. A.Anjaiah
20. G.Gandaiah	57. M.Tirupathaiah
21. Eethaiah	58. Venkataiah
22. Maraiah	59. Ch.Narasimha
23. P.Rajaiah	60. D.Menkali
24. E.Rajaratnam	61. Sattaiah
25. Hanumanthulu	62. Shanker
26. M.Maisaiah	63. Narasimha
27. M.Ettaiah	64. Mada Reddy
28. Mutthaiah	65. Bondaiah
29. Batkaramulu	66. B.Ramulu
30. Y.Gangi Reddy	67. D.Tirumalaiah
31. M.Ramulu	68. Yadagiri
32. Bikshapathi	69. M.Narasimha
33. P.Pentaiah	70. Balaiah
34. M.Pentaiah	71. B.Yadagiri
35. B.Yadaiah	72. T.Yadagiri
36. E.Komaraiah	73. B.Yadagiri
37. Odaru	74. K.Narasimha ... Applicar

And

1. The Union of India, Rep. by the General Manager, South Central Railway, Rail Nilayam, Secunderabad.
2. The Deputy Chief Engineer, (Construction) Central/Secunderabad, S.C.Rly, Vikarabad.
3. The Chief Personnel Officer, S.C.Rly, Secunderabad.
4. The Chief Administrative Officer, (Construction) South Central Railway, Secunderabad. ... Responde

Counsel for the applicants : U.Pattabhi Ramaiah, Advocate
Counsel for the respondents : J.R.Gopal Rao, SC for Rlys.

CORAM:

HON. MR. JUSTICE V. NEELADRI RAO, VICE CHAIRMAN

HON. MR. R. RANGARAJAN, MEMBER (ADMN.)

JUDGMENT

I as per Hon'ble Sri R.Rangarajan, Member(Administrative) I

Heard Sri U.Pattabhi Ramaiah, learned counsel for the applicants and Sri J.R.Gopala Rao, learned Standing Counsel for the respondents.

2. There are 74 applicants who worked as Casual Labourers between Tandur-Malkad Road of Hyderabad-Vikarabad Section under the control of 2nd respondent.

3. These applicants were engaged as Casual Labourers for Engineering Construction Project in Secunderabad Division and in the last spell they worked in Doubling Project work between Tandur-Malkhad Road of Hyderabad-Vikarabad Section. On account of the above said Doubling Project having been completed they were made surplus and were proposed to be redeployed at Hospet. The redeployment order is challenged in this O.A.

4. The contentions of the applicants are as under:-

(i) The impugned order whereby these applicants were deployed to other divisions is illegal, for while deploying them to other divisions, their juniors are allowed to continue in SC Division.

(ii) They have to be absorbed in the post to be created in view of the new asset i.e. new doubling-line between Vikarabad-Malkhad or other new assets created in the division and hence without consideration of their case for such absorption, they cannot be deployed to Hospet Division.

34

5. OA No.401/95 was filed before this Tribunal and the same was heard and disposed of by us. In that OA also the applicants therein were surplus casual labourers having been rendered surplus due to the Doubling Project between Tandur-Malkhad Road, having been completed. The contentions of the applicants in that OA are same as that of the contentions of the applicants in this OA as stated above.

6. In OA 401/95 which was decided on 28.4.1995, we have held that only the junior in the seniority list of ~~casual~~ labourers in the Secunderabad Division has to be re-deployed and the applicants if they are senior, have to be ~~retained~~ while those juniors are sent to Hospet. As the applicants in this OA are similarly situated, we give the same direction as was given in OA 401/95.

7. This OA is disposed of as under:-

It is open to the respondents to address the casual labour in the seniority unit as to whether any of them is interested in going to Hospet. If such of those who are interested in going to Hospet by keeping ~~Division~~, lien in this Secunderabad ~~they~~ they can be sent to the respective units to the extent their deployment is necessary. If there are no volunteers or if such volunteers are less than the number to be deployed from SC ~~dyn~~, the deployment has to be made from junior-most in the seniority unit to the extent deployment is necessary. If on that basis, all these or some of these applicants need not be deployed from SC division, they can be posted in place of those casual labour who have to be deployed from the seniority unit by following the principle referred to herein, or it is open to the concerned authority to post these applicants or such of the applicants who need not be

✓

26

deployed, in any unit in SC division. There need not be any direction in regard to the absorption to the post to be created on the basis of the new assets or in ~~in~~ 1/3rd vacancies on Open line as the concerned authority stated that the extant rules will be followed in regard to the same.

8. The OA is ordered as referred to above at the admission stage itself. No costs. /

Mr. R. Rangarajan
(R. Rangarajan)
Member (Admn.)

Mr. V. Neeladri Rao
(V. Neeladri Rao)
Vice Chairman

Dated 28th April, 1995.
Open court dictation.

Grh.

Deputy Registrar

Arulrao
4-5-95

To

1. The General Manager, Union of India, South Central Railway, Railnilesham, Secunderabad.
2. The Deputy Chief Engineer, (Construction) Central/Secunderabad, S.C.Rly, Vikarabad.
3. The Chief Personnel Officer, S.C.Rly, Secunderabad.
4. The Chief Administrative Officer (Construction) S.C.Rly, Secunderabad.
5. One copy to Mr. U. Pattabhi Ramaiah, Advocate, 1-1-526 Sri Seidetta Apartments, Ground Floor, Iqbal Manzil, Golkonda 'X' Roads, Hyderabad.
6. One copy to Mr. J. R. Gopal Rao, SC for Rlys. CAT.Hyd.
7. One copy to Library, CAT.Hyd.
8. One sparecopy.

pvm

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR.JUSTICE V.NEELADRI RAO
VICE- CHAIRMAN

AND

THE HON'BLE MR.R.RANGARAJAN:M(ADMN)

DATED - 28 - 6 1995.

ORDER/JUDGMENT:

M.A./R.A./C.A. No.

O.A. No. in
402/95.

T.A. No. (W.P.

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected.

No.order as to costs.

