

(12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH

HYDERABAD

O.A.NO.405/95

Between:

Date of Order: 6.7.95.

K.Radhakrishnaiah

...Applicant.

And

1. The General Manager,
South Central Railway,
Railnilyam,
Secunderabad.

2. The Chief Personnel Officer,
South Central Railway,
Hyderabad.

3. The Deputy Chief Mechanical Engineer,
Carriage Repair Work Shop,
South Central Railway,
Tirupathi.

...Respondents.

Counsel for the Applicant : Mr.S.Kishore

Counsel for the Respondents : Mr.J.R.Gopal Rao, SC for Ryas.

CBRAM:

THE HON'BLE SWAMI R.RANGARAJAN : MEMBER (A)

contd...

DA 405/95.

Dt. of Order: 6-7-95.

(Order of the Single Bench passed by Hon'ble
Shri R.Rangarajan, Member (A)).

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The applicant claims that an extent of 0.57 cents wet land in Survey No. 20/135, consisting of 0.22 cents and survey No. 2/153 of 0.35 cents at Sattipalli village, Tirupati, Chittoor District belong to his father, and that land was acquired for construction of Carriage Repair Shop, South Central Railway in Tirupati. His family made a representation dt. 29-9-85 to the effect that as there is no educated persons in their family and the children are minors, they will approach the authorities concerned for appointment in accordance with the qualifications as and when a family member becomes major and acquires qualification. The above representation was made in pursuance of the scheme formulated as per Railway Board letter No.E(NG)/II/82/HC1/95 dt. 31-12-1982/1-1-1983

2. The applicant studied up to 10th class, which he completed in the year 1991 and as he discontinued studies due to financial problems, he made a representation dt. 22-12-1992 for absorbing him in a suitable post in Tirupathi Carriage Repair Shop, in accordance with his qualification against Land Losers Quota. Though the applicant reminded the respondent authorities ^{from} time to time, he was not offered any appointment. Hence he filed Writ Petition No. 5753/93 in High Court of Andhra Pradesh for appointing him in Tirupathi Carriage Repair Shop. That Writ Petition was disposed of by the order dt. 29-4-93 by the High Court of Andhra Pradesh with a direction to the applicant to file a representation before the authority

for appointing him in a suitable post. Though he filed a representation as per the above direction, he did not receive any response so far. Hence he filed this application for a direction to the Respondents to provide him with an employment in accordance with the educational qualifications against the Land Losers Quota.

3. The applicant relied on the Judgement of this Tribunal in O.A.734/91 dt.15-6-93. The applicant in that O.A., who was similarly situated who have approached this Tribunal by filing above referred O.A. A direction was given to the authorities to consider him a job against the quota earmarked for the Land Displaced Persons in his turn. The learned standing counsel had present gracefully accepted that the case is covered by the Judgement of this Tribunal in OA 734/91 and a similar direction can also be given in this case.

4. In view of the above submission, I follow the Judgement in OA 734/91 and give the following direction:-

The applicant had to be provided a job in Group-D as per the Railway Board scheme referred to above. I make it clear that he had to be provided a job in a vacancy in direct recruitment quota for Group-D post. If other eligible persons as per the scheme who are already registered for employment are not yet provided jobs in Group-D, the applicant had to be provided job in Group-D in the vacancy in direct recruitment quota as and when his turn arises as per his registration comes against the land displaced persons.

5. The following direction

5. The Original Application is ordered accordingly.

No order as to costs.

M

(R.RANGARAJAN)
Member (A)

Dt. 6th July, 1995.
Dictated in Open Court.

av1/

Anil 7-7-95
DEPUTY REGISTRAR (J)

To

1. The General Manager,
South Central Railway,
Railnilayam,
Secunderabad.
2. The Chief Personnel Officer,
South Central Railway,
Hyderabad.
3. The Deputy Chief Mechanical Engineer,
South Central Railway,
Carriage Repair Work Shop,
Tirupathi.
4. One copy to Mr.S.Kishore, Advocate, CAT, Hyderabad.
5. One copy to Mr.J.R.Gopal Rao, SC for Railways, CAT, Hyderabad.
6. One copy to Library, CAT, Hyderabad.
7. One spare copy.

YLKR

TYPED BY
CHECKED BY

COMPARED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

THE HON. SRI A. V. HARIDASAN: MEMBER (3)

AND

R. Rangarajan.
THE HON. SHRI A. B. GORTHI: MEMBER

DATED 6.7.95

ORDER/JUDGMENT

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

in

D.A.NO. 405/95

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 Spare (Copy)

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