

(12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

O.A.NO. 454/95

Date of Judgment: 23.6.1995

BETWEEN:

1. P.Yadagiri
2. B.Yadagiri
3. M.Bikshapathi
4. N.Nagaiah
5. Nasam Ramulu

Applicants

AND

1. The General Manager,
South Central Railway,
Rail Nilayam, Secunderabad.
2. The Chief Admve. Officer (Constrn.I),
SC Railway, DRM Compound,
Secunderabad.
3. The Divisional Railway manager (P),
SC Railway, Secunderabad Division (BG),
Secunderabad.
4. The Senior Divisional Engineer (Construction),
Secunderabad Division (BG), SC Railway,
Secunderabad.
5. The Divisional Engineer (Construction-I),
SC Railway, Sanchalan Bhavan,
Secunderabad.
6. The Chief Permanent Way Inspector,
SC Railway, Boiguda,
Secunderabad.

RESPONDENTS

COUNSEL FOR THE APPLICANT: SHRI P.KRISHNA REDDY

COUNSEL FOR THE RESPONDENTS: SHRI D.FRANCIS PAUL
Sr./Addl.CGSC

CORAM:

HON'BLE SHRI JUSTICE V.NELADRI RAO, VICE CHAIRMAN
HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

(18)

O.A.NO.454/95.

JUDGMENT

Dt: 02.8/6/95

(AS PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.))

Heard Shri P.Krishna Reddy, learned counsel for the applicants and Shri D.Francis Paul, learned standing counsel for the respondents.

2. There are five applicants in this OA and they are Construction Casual Labourers (Gangmen) working in Sanatnagar-Moulali by-pass line. As the construction work is over, the same is sought to be handed over to the maintenance by the Construction Department. This OA has been filed praying for direction to the respondents to absorb the applicants on regular basis and retain them in the Sanatnagar-Moulali by-pass line.

3. The Construction Casual Labourers (Gangmen) working in the same line viz., Sanatnagar-Moulali by-pass line, filed OAs 288/95 and 334/95 for a similar relief as asked for in this OA. The applicants herein are also working as ~~xxxxx~~ Construction Casual Labourers in the same Sanatnagar-Moulali by-pass line and they also pray for a similar relief as in the above referred OAs.

4. OAs 288/95 and 334/95 were disposed of by a common ~~xxxxx~~ judgment of this Tribunal dated 19.6.1995 where both of us were parties to the judgment. The

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direction given in the above referred two OAs are extracted below:-

"But it is submitted for the respondents that the number of Gangmen required for maintenance of this Sanatnagar-Moulali by-pass line are far less than the number of applicants. In such a case, it is open to the respondents to prepare seniority list from amongst these applicants and retain such of the applicants that are required for maintenance of this line, on the basis of their seniority and deploy the rest in accordance with rules/instructions. As and when the seniority of the casual labour (Gangmen, construction) is prepared in accordance with the rules/instructions for absorption as Gangmen in this project (Sanatnagar-Moulali by-pass line) or the project, if it is part of larger project, the copy of the seniority list has to be communicated to the applicants to enable them to challenge the same if they have any objections. After considering their representations if any in regard to the same, the Respondents are free to finalise that seniority

contd....

To

1. The General Manager, S.C.Rly
Railnilayam, Secunderabad.
2. The Chief Administrative Officer (Constrn.I)
S.C.Rly, DRM Compound, Secunderabad.
3. The Divisional Railway Manager (P)
S.C.Rly, Secunderabad Division (BG) Secunderabad.
4. The Senior Divisional Engineer (Construction),
Secunderabad Division (BG) S.C.Rly,
Secunderabad.
5. The Divisional Engineer (Construction-I)
S.C.Rly, Sanchalan Bhavan, Secunderabad.
6. The Chief Permanent Way Inspector,
S.C.Rly, Boiguda, Secunderabad.
7. One copy to Mr. P. Krishna Reddy, Advocate, CAT.Hyd.
8. One copy to Mr. ---, S.C. for Rlys, CAT.Hyd.
9. One copy to Library, CAT.Hyd.
10. One spare copy.

pvm

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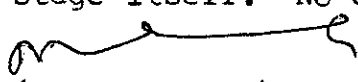
.. 4 ..

list and as and when the casual labour from amongst those in the seniority list are posted for maintenance of this by-pass line, such of those applicants who are going to be retained as per this order may be replaced by observing rule of juniority. It is needless to say that if the applicants or such of those applicants who are going to be aggrieved by the final seniority list of Gangmen to be absorbed for maintenance of this line, they are free to move this Tribunal under Section 19 of the Act."

5. As the applicants in this OA are also part of the Construction Labourers in the same project, we see no reason to differ from the direction ~~give~~ already given in OAs 288/95 and 334/95.

6. In the result, the respondents are directed to follow the direction given in the judgment in OAs 288/95 and 334/95 as extracted in para 4 supra.

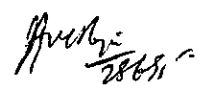
7. The OA is ordered accordingly at the admission stage itself. No costs.


(R. RANGARAJAN)
MEMBER (ADMN.)


(V. NEELADRI RAO)
VICE CHAIRMAN

DATED:  June, 1995.

vsn


Deputy Registrar

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COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

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

A N D

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

DATED 23/6 1995.

ORDER/JUDGMENT:

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

OA.No. ⁱⁿ 454/95
TA.No. (W.P.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions.

Dismissed. at the admission

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No. order as to costs.

No spare copy

