

(12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

OA. No. 300/96.

Date of order: 14.3.96.

Between:-

Nagal Venkata Apparao ... Applicant.

A n d

1. Union of India, rep. by Secretary,
Ministry of Defence, New Delhi.
2. Flag Officer Commanding in Chief,
Eastern Naval Command, H.Q. Visakhapatnam-14.
3. Base Vitualling Officer, B.V. Yard,
Visakhapatnam-9.

... Respondents.

Counsel for the Applicant: P.B. Vijaya Kumar, Advocate

Counsel for the Respondents: Mr. K. Ramloo, CGSC.

CORAM:

HON'BLE MR. JUSTICE M.G. CHOUDHARY, VICE CHAIRMAN

HON'BLE SHRI H. RAJENDRA PRASAD, MEMBER (A)

JUDGEMENT

Dt: 14.3.96

(AS PER HON'BLE SHRI JUSTICE M.G.CHAUDHARI, VICE CHAIRMAN)

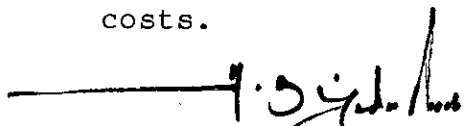
Heard Shri P.B. Vijay Kumar, learned counsel for the applicant. It appears that the applicant was engaged as nerrick rated USL at various establishments under Eastern Naval Command, Visakhapatnam in spells during the years 1992-94. It appears that he was appointed for one month in the Naval headquarters with effect from 18.3.93. The learned counsel for the applicant states that last spell of the engagement was upto 7.12.94. The applicant, therefore, contends that having regard to the length of his service although in spells, he is eligible to be considered for regular appointment. His further grievance is that respondents have regularised almost 12 persons who are juniors to him whereas he should have been given weightage for his earlier engagement. By Annexure A-1 (undated), applicant had requested the Flag Officer Commanding-in-Chief to give him appointment of USL. He had stated therein that he had learnt that a vacancy was available in that post. Since there has been no response from the respondents, applicant filed this OA.


2. Looking to the circumstances of the matter and facts stated above the period of engagement of the applicant with the respondents, we can only make a direction to the respondents that they may take a

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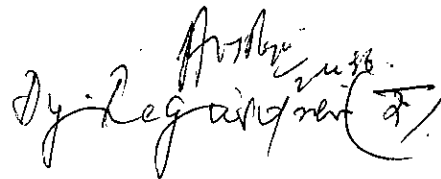
sympathetic view and make an endeavour to engage the applicant when a post suitable for him is available and he may be considered before any fresh or outside candidates are considered. We expect the respondents to comply with these directions as expeditiously as possible. It will be open to the respondents to provide some interim engagement to the applicant if he cannot be immediately reengaged or appointed in a regular post. Subject to the above observations, OA is disposed of. No costs.


(H. RAJENDRA PRASAD)
MEMBER (ADMN.)


(M.G. CHAUDHARI)
VICE CHAIRMAN

DATED: 14th March, 1996
Open court dictation.

vsn


Dy. Registrar

(15)

~~IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH~~
~~AT HYDERABAD~~

Copy to:-

1. Secretary, Union of India, Ministry of Defence,
New Delhi.
2. Flag Officer Commanding in Chief,
Eastern Naval Command, H.Q. Visakhapatnam-14.
3. Base Vitualling Officer, B.V. Yard, Visakhapatnam-9.
4. One copy to Mr. P.B. Vijaya Kumar, Advocate, CAT, Hyd.
5. One copy to Mr. K. Ramloo, CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

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8/194/96

I COURT

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

G. B. Choudhary

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

AND

H. Rajender Prasad

THE HON'BLE MR. R. RANGARAJAN M(A)

Dated: *14-3* -1996

ORDER/JUDGMENT

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

in

O.A.No. *300/96*

T.A.No.

(w.p.No.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

No Spare Copy

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
प्रेषण/DESPATCH
- 4 APR 1996
हैदराबाद बेंच
HYDERABAD BENCH