

(14)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH  
AT HYDERABAD.

O.A.NO.1716f 1996.

Between

Dated: 19.2.1996.

K.Viswamohan

...

Applicant

And

1. The Sr. Divisional Personnel Officer, South Central Railway, Hyderabad Division(MG), Secunderabad.
2. The Chief Signal & Telecom Engineer, South Central Rly, (MG), Rail Nilayam, Secunderabad.
3. Signal & Telecom Engineer, Telephone Exchange, South Central Railway (MG), Secunderabad.
4. Chief Signal Inspector, South Central Railway, Nizamabad.

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Respondents

Counsel for the Applicant : Sri. P.Krishna Reddy

Counsel for the Respondents : Sri. V.Rajeswara Rao, SC for Railways.

CORAM:

Hon'ble Mr. R.Rangarajan, Administrative Member

Contd:...2/-

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D.A. 171/96.

Dt. of Decision : 19-02-96.

ORDER

( As per Hon'ble Shri R. Rangarajan, Member (Admn.) )

The applicant was engaged on 06-03-1984 as a Casual ~~Labour~~ under R-3. It is stated that he was given temporary status on completion of four months of service. However, his services were terminated ~~vide letter No. A.S.T.E/~~ ~~dated~~ Telc/11 dated 6-12-90 as there were no provision in estimate against which he was engaged as casual labour. His services ~~were~~ actually terminated with effect from 07-01-1991.

2. It is stated that the applicant and two other employees namely, Sri B. Buchi Ramulu and Sri D. Eswar were also terminated like the applicant on the same day by the same impugned order. They have filed OA.No.672/91 and OA.No. 673/91 on the file of this Bench. Those two OAs were disposed of ~~with~~ setting aside the impugned termination order dated 6-12-90 and further directing the respondents to take those the applicant on duty. In pursuance of the direction the two applicants in the above referred OA were taken back in the service and it is also stated that their back wages from the date of termination of the service till they were reinstated were also paid.

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3. The applicant was also reinstated back in service on 5-5-92 vide order No.YP/210/S&T/Screening, dt.5-5-92 and presently he is working as TCM Gr.III in scale of Rs.950-1500 (RSRP).

4. The applicant though reinstated was not paid the back wages from the date of his termination namely, 7-1-91 to the date of reinstatement 5-5-92. It is stated that the legal notices dt.17-7-95 and 3-8-94 issued to all the respondents in this OA for paying him the back wages for the period from 7-1-91 to 5-5-92 was not replied. However, the DSTE (MW-M), Secunderabad had forwarded the legal notice to the D.S.T.E. (MG), Hyderabad at Secunderabad for taking further necessary action in the matter by letter No.MW.SW.155/4/EX, dated 25-8-1994. But inspite of the forwarding the letter to the concerned, no reply is reported to have been issued yet to the applicant in this regard.

5. Hence, he has filed this application praying for a direction to the respondents to pay the arrears of salary due to him for the period between 7-1-1991 to 5-5-1992 i.e. from the date of his removal till the date of his reinstatement including interest.

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Copy to:-

1. The Sr. Divisional Personnel Officer, South Central Railway, Hyderabad Division(MG), Secunderabad.
2. The Chief Signal & Telecom Engineer, South Central Railway, (MG), Rail Nilayam, Secunderabad.
3. Signal & Telecom Engineer, Telephone Exchange, South Central Railway (MG), Secunderabad.
4. Chief Signal Inspector, South Central Railway, Nizamabad.
5. One copy to Sri. P.Krishna Reddy, advocate, CAT, Hyd.
6. One copy to Sri. V.Rajeswar Rao, SC for Rly, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

Rsm/-

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6. The legal notice clearly indicates that two of his ex-colleagues, whose services were terminated ~~from~~<sup>by</sup> the same impugned order were reinstated on the direction given in this Tribunal in OA.No.672/91 and OA.No.673/91. It is also stated in the legal notice that those two casual labourers were also paid the backwages for the period they were out of service. It is for R-1 to dispose of the application in the light of precedences and also on the basis of the facts of the his case.

7. In the result, the following direction is given:-

The legal notice dated 17-7-95 (Annexure-I) and dated 3-8-94 (Annexure-III) should be disposed of within a period of two months from the date of receipt of a copy of this order indicating the reasons if his prayer is rejected.

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



(R. Rangarajan)  
Member(Admn.)

Dated : The 19th February 1996.  
(Dictated in Open Court)

  
Amrit  
16/2/96

Dy. Registrar (J)

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TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD.

R. Rangappa Jam  
HON'BLE SHRI A. B. GORTHI: MEMBER(A)

HON'BLE SHRI

DATED: 19/2/96

ORDER/JUDGMENT

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

IN

R.A. NO.

171/96

ADMITTED AND INTERIM DIRECTIONS ISSUED  
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

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No Spare Copy

Central Administrative Tribunal  
DESPATCH

29 FEB 1996

Hyderabad Bench  
HYDERABAD BENCH