

(39)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.

O.A. NO. 572 of 1996.

Between

Dated: 25.4.1996.

1. G Venkata Srinivasa Rao.

2. S. Maniraja.

3. M. Jayasankar.

...
And

Applicants

1. The General Manager, South Central Railway, Rail Nilayam, Secunderabad.

2. The Deputy Chief Mechanical Engineer, Carriage Repair Shop, S.C.Railway, Tirupathi.

3. The Workshop Personnel Officer, Carriage Repair Shop, S.C.Railway, Tirupathi.

...
Respondents

Respondents

Counsel for the Applicants

: Sri. P.P. Vithal

Counsel for the Respondents

: Sri. K. Siva Reddy, Addl. CGSC.

CORAM:

Hon'ble Mr. R. Rangarajan, Administrative Member

Contd: ... 2/-

*Judgement

Oral Order (per Hon. Mr. R. Rangarajan, Member (Admn.))

Heard Sri P.P. Vithal, learned counsel for the applicants and Sri K. Siva Reddy, learned counsel for the respondents.

2. There are three applicants in this OA and they have filed this application praying for a direction to the respondents to appoint them as skilled artisans or as khalasies in Group-D category in the scale of Rs.740-940 in Carriage Repair Shop, Tirupathi, or Diesel Loco Shed, Kazipet, Guntakal, Vijayawada, or Electrical Loco shed, Vijayawada, Lallaguda or anywhere in South Central Railway and for a further direction to consider them first before considering any other candidates for employment in Group-D post in the interests of justice.

3. A notification was issued for recruitment of Trainee skilled artisans in the grade of Rs.950-1500 (RSRP) in CRS, Tirupathi, vide recruitment notification No.TR/P.563/Skilled/93/2, dated 17-4-1993. The three applicants herein are reported to have applied in pursuance of the above notification. They were offered appointment for the above said posts for temporary skilled Artisans by Respondent No.3 in terms of office order TR/P.563/DR/Skilled/93 dated 28-6-93 (vide annexure 2 and 3 in respect of Applicants 1 and 2). There is no appointment order annexed to this OA in regard to Applicant 3.

It is stated by the counsel for the applicant that he was also issued with the appointment order for the post of Trainee Skilled Artisans. It is further stated that all the three applicants have accepted the offer of appointment for the post of Trainee Skilled Artisans.

4. While the applicants were waiting for orders for appointment as Trainee Skilled Artisans, they received a letter bearing No.TR/P.563/Mech/DR/SK/Vol.II dated 29-8-94 stating that in the Workshop there is no possibility of appointment

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them to the grade of Trainee Skilled Artisan and that if they are willing to take up the post of Group-D (Unskilled) in CRS, Tirupati, Diesel Shed, Gooty, Guntakal, Kazipet etc. they will be considered for appointment in Group-D to the extent of vacancies available in due course. It is, further stated by the learned counsel for the applicant that all the three of them have given their acceptance for appointment in Group-D as envisaged in the letter dt. 29-8-94. But despite offering/accepting offer of appointment, it is alleged that the respondents are maintaining stoic silence. Hence, they filed this O.A. praying as above.

5. The learned counsel for the applicants submitted that this O.A. is covered by the direction of this Tribunal in O.A.654/95 decided on 18-5-1995 and O.A.No. 33/96 decided on 5-1-1996. In O.A.654/95 I was a party to the judgement.

6. As the prayer in this O.A. is covered by the direction in the above referred OAs of this Tribunal, I follow the same direction and direct as follows for the reasons stated in those OAs:

"The respondents are directed to offer the applicants herein appointment in the posts of Group-D as and when vacancies arise in outsiders quota in Carriage Repair Shop, Tirupati, or anywhere else in Guntakal Division in their turn subject to the verification that the applicants have given their acceptance for being appointed in Group-D posts, within the stipulated time and also accepted the terms and conditions

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stipulated therein. The applicants should be considered for appointment in Group-D posts in their turn first before considering any other outside candidates, whose names are not already in the list for appointment in Group-D posts in Tirupati Carriage Repair Shop, or anywhere else in Guntakal Division."

7. The O.A. is ordered accordingly at the admission stage. No costs.

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(R. Rangarajan
Member (A))

Dated April 25, 1996
(Open Court Dictation)

Apr 25

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Copy to:-

1. The General Manager, South Central Railway, Railnilayam, Secunderabad.
2. The Deputy Chief Mechanical Engineer, Carriage Repair Shop S.C.Railway, Tirupathi.
3. The Workshop Personnel Officer, Carriage Repair Shop, S.C. Railway, Tirupathi.
4. One copy to Sri. P.P. Withal, Advocate, CAT, Hyd.
5. One copy to Sri. K.Siva Reddy, Addl. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

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CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : MCA

DATED: 25/4/96

ORDER/JUDGEMENT

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

IN

B.A. NO.

572/96

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDERS AS TO COSTS

No Spare Copy
Affd. 20/4/96

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
देशभूमि/DESPATCH
27 MAY 1996
हृदयवाद न्यायपीठ
HYDERABAD BENCH