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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.A.No.618/96.

Date of order : 5.9.1996.

Between

1. A.Maheshwar
 2. P.Amrutha Leela
 3. V.V.L.N.Acharyulu
 4. Jeeja Bai
 5. K.Ajay Srinivas
 6. K.V.V.Gopala Sharma
 7. T.Geetha Bai
 8. G.Shobha
 9. N.Padmavathi
 10. K.V.Venugopal Rao
 11. R.Satyavani
 12. V.S.Prakash
 13. M.Raj Kumar
 14. T.Venkateswara Rao
 15. T.V.M.Phani Raja Kumar
 16. R.V.Rajasree
 17. N.Vijayalakshmi
 18. M.L.Swarupa Rani
- .. Applicants

And

1. The Employees' State Insurance Corporation,
Rep. by the Director-General,
Kotla Road,
New Delhi.
 2. The Andhra Pradesh Employees' State Insurance Corporation,
Rep. by Regional Director,
Regional Office,
5-9-23, Hill Fort Road,
Hyderabad-500463.
- .. Respondents

Counsel for the Applicants .. Shri P.Naveen Rao
Counsel for the Respondents .. Shri N.R.Devaraj, Sr. CGSC

C O R A M

Hon'ble Shri Justice M.G.Chaudhari : Vice-Chairman

Hon'ble Shri H.Rajendra Prasad : Member(A)

Order

(Per Hon'ble Shri Justice M.G.Chaudhari : Vice-Chairman)

Heard Shri P.Naveen Rao for the applicant and Shri N.R. Devaraj, Sr. CGSC for the respondents.

2. The applicants seek to challenge the notification dated 8.5.96 and claim that their appointment to the post of LDC although made on adhoc basis should be regularised without they being required to go through the selection process.

as under the notification dated 8.5.96. It may be mentioned that the said notification entitles the applicants to appear at the examination for the proposed selection thereunder without being required to be re-sponsored by the Employment Exchange. We have admitted the O.A. on 23.5.96 and had allowed the applicants to submit their applications for appearing at the examination for the selection under the notification dated 8.5.96 and participate in the selection process subject to the eventual outcome of the case.

3. Today, ⁱⁿ another ^{OA} identical question has come up before us raised by another LDC working with the Employees' State Insurance Corporation in O.A.No.1062/96 seeking identical relief with reference to the notification dated 8.5.96. After hearing Shri P.Naveen Rao for the applicant and Shri N.R.Devaraj, Sr. CGSC for the respondents and after noticing the decision of the Hon'ble Supreme Court in Civil Appeal Nos.5032-5/1992 in Director-General, E.S.I.C. & Anr. Vs. Sari Trilek Chand & Ors dated 10.12.92 and in State of Haryana & C Vs. Piara Singh & Ors. AIR 1992 SC 2130 we have negatived the contention of the applicant in that case. Since the instant case also involves the same point it has been taken in the list for final orders on request from Shri N.R.Devaraj and the consent of Shri P.Naveen Rao, for the reasons recorded on O.A.No.1062/96 separately today we hold that the applicants in the instant case have no cause of action and they are not entitled to claim the relief which they have prayed for and the O.A. is liable to be dismissed.

4. In the result, the O.A. is dismissed. No order as to costs. The interim order making the participation in the selection process by the applicants subject to the outcome of the case is vacated without prejudice. The right of applicants to apply in pursuance of the notification dated 8.5.96 and participate in the selection process for regular selection will not however be affected by disposal.

H.M. OA
(H. Rajendra Prasad)
Member(A).

Dated: 5.9.1996.
Dictated in Open Court

(M.G. Chaudhary)
Vice-Chairman

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To

1. The Director General,
Employees State Insurance Corporation,
Kotla Road, New Delhi.
2. The Regional Director,
A.P. Employees' State Insurance Corporation,
Regional Office, 5-9-23, Hill Fort Road,
Hyderabad-463.
3. One copy to Mr. P. Naveen Rao, Advocate, CAT. Hyd.
4. One copy to Mr. N. R. Devraj, Sr. CGSC. CAT. Hyd.
5. One copy to _____
6. One spare copy.

pvm.

9/10/96

I COURT

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE M.G. CHAUDHARI
VICE-CHAIRMAN

AND

THE HON'BLE MR. H. RAJENDRA PRASAD: M(A)

Dated: 5-9-1996

ORDER / JUDGMENT

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

in

O.A.No.

618/96

T.A.No.

(w.p.)

Admitted and Interim Directions
Issued.

Allowed.

Disposed of with directions

Dismissed

Dismissed as withdrawn.

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm

