

(30)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.637/96

DATE OF ORDER : 28-08-1997.

Between :-

S.Vijaya Bhaskar

.. Applicant

And

1. Union of India rep. by its Secretary,
M/o Urban Affairs & Employment,
Nirman Bhavan, Hyderabad.
2. Director General of Works, CPWD,
Nirman Bhavan, New Delhi.
3. Superintendent Engineer (Co-ordination),
Central Public Works Dept., Madras.
4. Superintendent Engineer,
Hyd. Central Circle.I, Nirman
Bhavan, Koti, Hyderabad.
5. Executive Engineer, Hyd. Central
Division.III, CPWD, Nirman Bhavan, Koti,
Hyderabad.

... Respondents

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Counsel for the Applicant : Shri P.B.Vijay Kumar

Counsel for the Respondents : Shri N.V.Raghava Reddy, CGSC

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CORAM:

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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... 2.

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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Heard Shri P.B.Vijay Kumar, counsel for the applicant and Shri N.V.Raghava Reddy, standing counsel for the respondents.

2. This O.A. is filed for a direction to the respondents to regularise the applicant as Office attendant (Group-D) or in any other post by continuing his services with all consequential and attendant benefits. The applicant submits that he had worked from May, 1988 to September, 1993 on work order basis as Beldar and his services were also utilised as Group-D peon. Later on he was paid salary through an intermediary till now.
3. No reply has been filed in this O.A. However, the learned the applicant counsel for the respondents submits that / was engaged as a Beldar as stated by him.
4. The learned counsel for the applicant submits that in view of the letter No.34/17/93-EXX dt.18-8-93 (Annexure A-I page-5 to OA) applicant's name has to be forwarded to the Director General of Works for consideration of absorption. Counsel for the applicant further submits that this OA is similar to OA 257/94 decided on 16-1-96. O.A.257/94 was decided on the basis of the directions in OA 174/95, wherein it was held that the claim of the applicant in that OA had to be forwarded to the Director General in pursuance of the letter dt.18-8-93 and if the applicant satisfies the contentions referred to therein, his case will be considered/accordance in with the law. In view of the above, the applicant submits that the

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decision given in OA 257/94 may given in this O.A. also.

5. I am satisfied that this case is a covered one and a direction can be given as was given in OA 257/94. Hence the following direction is given :-

If the name of the applicant is not yet forwarded in pursuance of the letter dt.18-8-93 as referred to herein before, the case of the applicant has to be forwarded to the concerned authority as referred to therein. It is needless to say that if ultimately the applicant is going to be aggrieved by the order to be passed, he is free to file fresh application under Section 19 of the A.T.Act, if he is so advised. In the meanwhile, if there is work for the post of Beldar/office attendant, the applicant has to be preferred to the freshers.

6. Thus the Original Application is ordered accordingly.

No order as to costs.



(R. RANGARAJAN)
Member (A)

Dated: 28th August, 1997.

Dictated in Open Court.

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Subin 28.8.97
D. R. (J)

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Copy to:

1. The Secretary, M/O of Urban Affairs and Employment, Nirman Bhavan, Hyderabad.
2. Director General of Works, CPWD, Nirman Bhavan, New Delhi.
3. Superintending Engineer (Co-Ordination), Central Public Works Department, Madras.
4. Superintending Engineer, Hyderabad Central Circle, I, Nirman Bhavan, Koti, Hyderabad.
5. Executive Engineer, Hyd. Central Division, III, CPWD, Nirman Bhavan, Koti, Hyderabad.
6. One copy to Mr. P. B. Vijaya Kumar, Advocate CAT, Hyderabad.
7. One copy to Mr. N. V. Raghava Reddy, Addl. CGSC, CAT, Hyderabad.
8. One copy to D. R. (A), CAT, Hyderabad.
9. One duplicate copy.

YLKR

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TYPED BY
COMPILED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

THE HON'BLE SHRI R.W. GADGAD : M (a)

AND

THE HON'BLE SHRI S.S. J. I. P. R. MEGHAR:
(M) (J)

Dated: 28/8/87

ORDER/JUDGEMENT

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

in

G.A.NO. 637/86

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

YLKR

II Court

