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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : : : HYDERABAD BENCH
HYDERABAD BENCH

ORIGINAL APPLICATION NO. 106/96

DATE OF ORDER : 22-4-1998

BETWEEN :

K.V.S. RAGHURAM

... APPLICANT

AND

1. Union of India represented by
Secretary, Ministry of Defence,
New Delhi.

2. Flag Officer Commanding-in-Chief,
Eastern Naval Comman,
Headquarters Visakhapatnam - 14.

3. Base Vitualling Officer,
B.V. Yard,
Visakhapatnam - 9.

... RESPONDENTS

— — —

COUNSEL FOR THE APPLICANT : SHRI P.B. VIJAYA KUMAR

COUNSEL FOR THE RESPONDENTS : SHRI V. RAJESHWARA RAO

CORAM :

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

(ORDER PER HON'BLE SHRI H. RAJENDRA PRASAD, MEMBER (ADMN.))

None for the Applicant. Heard Mr Rajeshwara Rao for the Respondents. The Applicant was engaged on daily wages between 19-4-1993 to 27-4-1994, on an average for 20 days in a month, and for a total of 171 days in 1993 and 80 days in 1994. His name had not been sponsored by the Employment Exchange at the time of his initial engagement and he has not been engaged after April, 1994. This application has been filed nearly 2 years after his disengagement.

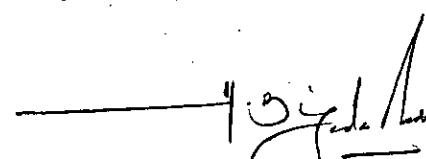
(24)

The Respondents submit that the work on which he was engaged intermittently is no longer available and that the number of days for which he was engaged during 1993 and 1994 is below the minimum required for regularisation.

The Applicant relies on a judgement delivered by this Tribunal in OA 1591/94 where an order was passed that the applicants therein should be considered for regularisation as and when vacancies arise in accordance with the Rules. The distinction between the facts of the said OA and those in this case is that the Applicants in the first OA cited had put in between 200 to 344 days of work in each year between 1989 and 1994, whereas in the present OA the total length of engagement has never exceeded 171 days.

There is no merit in the OA and the same is disallowed.

The Respondents may consider engaging the Applicant at any time in future, if such engagement is required or called for, and if any work is needed to be performed by the Applicant by virtue of his previous experience, provided the Applicant approaches them. No orders as to costs.


(H. RAJENDRA PRASAD)
MEMBER (ADMN.)

(DICTATED IN OPEN COURT)

DATED : 22-4-1998


...js/-

O.A. 106/96.

To

1. The Secretary, Ministry of Defence,
Union of India, New Delhi.
2. The Flag Officer Commanding-in-Chief,
Eastern Naval Command,
Headquarters, Visakhapatnam-14.
3. The Base Vitualling Officer,
B.V.Yard, Visakhapatnam-9.
4. One copy to Mr. P.B.Vijayakumar, Advocate, CAT.Hyd.
5. One copy to Mr.V.Rajeswar Rao, Addl.CGSC. CAT.Hyd.
6. One copy to DR(A) CAT.Hyd.
7. One copy to DR(A) CAT.Hyd.
8. One spare copy.

pvm.

6/5/98
I COURT

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR.JUSTICE

VICE-CHAIRMAN

AND

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

DATED: 22 - 4 - 1998.

ORDER/JUDGMENT

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

O.A.No. 106 | 96
in

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.

केंद्रीय प्रामाणिक अधिकारण
Central Administrative Tribunal
हैदराबाद आयोजी
HYDERABAD BENCH

- 4 MAY 1998

Despatch
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APPEAL SECTION

विभाग / APPEAL SECTION