

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

C.P.No. 50/97

IN

O.A.No. 800/96

Date of Order: 17.7.97

BETWEEN :

1. B.Sri Rama Murthy Naidu
2. B.S.V.Srinivasa Rao
3. Chandran Behra
4. J.Venkata Rao
5. V.Nagasatya Rao
6. T.Venkata Rao
7. Ch.Erinadha Rao
8. G.V.S.Nagaraju
9. B.Surya Rao
10. G.Rama Rao
11. K.Ramana Rao
12. N.Krishna Murthy
13. R.Venkateswara Rao



.. Applicants.

AND

1. Sri N.Bhaskara Rao,  
Chief General Manager,  
Telecom., A.P.Circle,  
Sanchar Bhavan, Hyderabad-1.
2. Sri J.Ramachandra Rao,  
General Manager, Telecom.,  
Visakhapatnam Area,  
Visakhapatnam.
3. Sri N.Appa Rao, Telecom Dist.Engineer,  
Srikakulam.
4. Sri M.V.Joga Rao,  
Superintendent-in-charge,  
Central Telegraph Office,  
Srikakulam.

.. Respondents.

Counsel for the Applicants

.. Mr.JV.Lakshmana Rao

Counsel for the Respondents

.. Mr.V.Rajeswara Rao

CORAM:

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

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O R D E R

X Oral order as per Hon'ble Shri R.Rangarajan, Member (Admn.) X

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Heard Mr.J.V.Lakshmana Rao, learned counsel for the applicant and Mr.V.Rajeswara Rao, learned standing counsel for the respondents.

2. The judgement in OA. 800/96 was delivered on 1.7.96. The order passed in that judgement reads as below:-

- (1) The applicants are given liberty to file a proper representation to the General Manager, Telecom, Visakhapatnam Area, within a period of one month from today through the District Engineer, Telecom., Srikakulam.
- (2) Each applicant however shall file separate representation;
- (3) On a representation being filed by any of the applicants or all of them separately within the stipulated time, the authorities concerned shall examine the same in the light of relevant guidelines mentioned herein above viz., dt. 26.2.88 and 7.6.88 within a period of 2 months from receipt of representation and the decision thereon shall be communicated to the concerned applicant.

3. The learned counsel for the respondents now submits that his representation has been disposed of. One such disposal is at Annexure-3. The learned counsel for the respondents submit that the first para of that annexure-3 is relevant. This para is extracted below: -

"Please refer to your representation dated 21.7.96 regarding payment of wages as per rules of Telecom Department, your claim that you have been working in the Department on casual basis from 26.3.92 is not supported by an appointment order issued by the Department of Telecom".

*Jor*

*J*

4. The respondents contend that the applicant has not produced the appointment order when he was asked to do so. Hence it appears that the applicant was not treated as a departmental employee.

5. The learned counsel for the applicant submits that the pay and allowances were paid by the department. If he is not a departmental employee then there is no rule to pay him pay and allowances by the department. Hence the reply is irrelevant and the respondents had issued this reply just to get out of the situation.

6. If the applicant is aggrieved by the reply given to him the course left to him is to file a fresh OA challenging the reply. If such a challenge is made by the applicant then the case will be considered in accordance with the law.

7. In view of what is stated above the CP has to be closed as the directions given in the judgement has been complied with.

8. Accordingly the C.P. is closed. No costs.

सत्यमेव जयते  
CERTIFIED TO BE TRUE COPY

*[Signature]*

सत्यमेव जयते  
COURT OFFICER  
सत्यमेव जयते  
Court Administrative Tribunal  
सत्यमेव जयते  
HYDRABAD BENCH