

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH  
AT HYDERABAD

OA.35/97

dt.6-3-97

Between

1. S. Govinda Raju
2. G. Satyanarayana
3. N. Prakash Rao
4. P. Lakshman Kumar

: Applicants

and

1. Union of India, rep. by  
Secretary  
Min. of Defence  
New Delhi

2. Flag Officer Commanding-in-Chief  
Eastern Naval Command HQ  
Visakhapatnam

3. Base Victualling Officer  
BV Yard, Visakhapatnam-9

: Respondents

Counsel for the applicants

: P. Satyanarayana  
Advocate

Counsel for the respondents

: V. Vinod Kumar  
Addl. CGSC

CORAM

HON. MR. JUSTICE M.G. CHAUDHARI, VICE CHAIRMAN

HON. MR. H. RAJENDRA PRASAD, MEMBER (ADMN.)

OA.35/97

dt.6-3-97

ORDER

Oral order (per Hon. Mr. Justice M.G. Chaudhari, VC )

Smt. N. Anjana Devi for the applicants. Mr. V. Vinod Kumar for the respondents.

1. Reheard after restoration. Smt. N. Anjana Devi vehemently argued that the applicants are poor unemployed people and having worked in the past, it is very harsh and unjust that they are being deprived of engagement atleast on daily basis so that they can survive. She submitted that therefore the direction as prayed may be issued to the respondents as prayed in as much as similar directions were given earlier by this Tribunal. We find it difficult to grant <sup>a</sup>any direction as prayed in view of the decision of the Hon. Supreme Court in State of Himachal Pradesh Vs. Suresh Kumar and others (1996(2)SCALE 307). At the same time we notice that the respective applicants were engaged in the <sup>for considerable</sup>past duration which cannot be totally ignored. Although, therefore, they have no right to claim regularisation or reengagement, we hope that the second respondent will keep in mind the plight of the applicants as stated and try to help them to the extent possible and as per the rules as and when he can bestow such a consideration to them. It is made clear that these observations <sup>may be treated</sup>are in the nature of recommendatory <sup>in nature</sup>command and not a direction of the Court so that inability of the respondents to act according therewith will not provide a ground for alleging contempt against respondents on the ground that the direction has not been complied with. <sup>we however hope that these</sup>  
<sup>will receive due consideration -</sup>

2. Subject to above observations the OA is disposed of.

(H. Rajendra Prasad)  
Member (Admn.)

(M.G. Chaudhari)  
Vice Chairman

Dated : March 6, 97

Dictated in Open Court

sk

25/3/97  
Wdy. Registrar C.D.C.

G.A.35/97

M.A.201/97

To

1. The Secretary, Min.of Defence,  
Union of India, New Delhi.
2. The Flag Officer Commanding-in-Chief,  
Eastern Naval Command HQ Visakhapatnam.
3. One copy to Base Victualling Officer,  
BV Yard, Visakhapatnam-9.
4. One copy to Mr.P.Satyanarayana, Advocate, CAT.Hyd.
5. One copy to Mr.V.Vinod Kumar, ~~Admstr~~ Adml.CGSC. CAT.Hyd.
6. One copy to ~~xxxxxx~~ D.R.(A) CAT.Hyd.
7. One spare copy.

pvm.

25/4/97

I COURT

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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  
MEMBER (ADMN)

Dated: 6-3-1997

ORDER & JUDGMENT

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

O.A.No.

35197<sup>in</sup>

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.