

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.)

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 ^a 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 past ^{for considerable} 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 ^{may be treated} are in the ^{in nature} as nature of ^{as} ~~recommendatory 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. We however hope that these ^{will receive due consideration} observations ^{will receive due consideration} will receive due consideration attention -

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

H. Rajendra Prasad
(H. Rajendra Prasad)
Member (Admn.)

M.G. Chaudhari
(M.G. Chaudhari)
Vice Chairman

Dated : March 6, 97

Dictated in Open Court

sk

16/3/97
W.D. Registrar (OCC)

O.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 HO 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.Vineet Kumar, ~~xxxxxx~~ Addl.CGSC. CAT.Hyd.
6. One copy to ~~xxxxxx~~ D.R. (A) CAT.Hyd.
7. One spare copy.

pvm.

99
25/4/67

I COURT

TYLED BY

CHECHED BY

COMARED 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
MEMBER(ADMN)

Dated: 6 - 3 - 1997

ORDER ~~& JUDGMENT~~

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

O.A.No. 351ⁱⁿ 97

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.

p.v.m.