

(28)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No. 509/97.

Dt. of Decision : 24-07-97.

1. Jaya Prakash
2. Syed Multani

.. Applicants.

Vs

1. The Sr.Divl.Personnel Officer,
SC Rly, Sec'bad BG Division,
Sec'bad.
2. The Sr.Divl.Commercial Manager,
SC Rly, Sec'bad BG Division,
Sec'bad.
3. The Divl.Rly.Manager,
SC Rly, Sec'bad BG Division,
Sec'bad.
4. The General Manager, SC Rly,
Rail Nilayam, Sec'bad.

.. Respondents.

Counsel for the applicants : Mr. G.V.Subba Rao

Counsel for the respondents : Mr. N.R.Devaraj, Sr.CGSC.

CORAM:

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

ORDER

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Heard Mr.G.V.Subba Rao, learned counsel for the applicants and Mr.N.R.Devaraj, learned counsel for the respondents.

2. There are two applicants in this OA. The service details of the applicants are as follows:-

The first applicant was engaged as Running Train Waterman and was continued as such during the season every year upto 30-6-93 except in the year 1984 ^{engagement is} as Waterman during the period from 1st April to 30th June. It is stated that the applicant was granted temporary status w.e.f., 7-5-86 after medical examination.

The second applicant was engaged as Parcel Porter on 2-5-82 and continued upto 16-8-82. Subsequently, he was engaged from 10-4-89 to 30-6-89 as also Parcel Porter. From 1-4-90 he was continuously engaged as a Train Waterman during the season till 30-6-93. It is also stated that he was brought on temporary status w.e.f., 3-8-90 after the medical examination.

3. During the summer season in 1994 both the applicants were not engaged as Waterman. In the year 1995-96 also they were not engaged as Waterman. It is alleged that the authorities told them that the practice of engaging Train Waterman has been dispensed with and that only Waterwoman ^{are} being engaged ^{at} Stations during the season, and ⁱⁿ that their case for regularisation ⁱⁿ Gr-D post, would be considered.

4. This OA is filed praying for a direction to the respondents for reengaging them as Waterman for the season and also regularise their services in accordance with rules.

5. It is stated that the live register for Waterman ^{is} being maintained and the engagement of Waterman/Waterwoman were taken in accordance with the seniority decided on the basis of number of days of service put in by them as Waterman/Waterwoman. Hence, it is justifiable to give a direction to re-engage them as per the seniorit

if there is need to engage Waterman during the present season in preference to others from open market. It is needless to say that their regularisation will be considered in accordance with rule as and when their turn comes.

6. With the above direction the OA is disposed of at the admission stage itself. No costs.



(R. RANGARAJAN)
MEMBER (ADMN.)

Dated : The 24th April 1997.
(Dictated in the Open Court)

spr

For file
25.4.97.
D.R. (J)

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3.4.4

Copy to:

1. The Senior Divisional Personnel Officer,
South Central Railway, Secunderabad BG Division,
Secunderabad.
2. The Senior Divisional Commercial Manager,
South Central Railway, Secunderabad BG Division,
Secunderabad.
3. The Divisional ~~Manager~~ Railway Manager,
South Central Railway, Secunderabad BG Division,
Secunderabad.
4. The General Manager, South Central Railway,
Railnilayam, Secunderabad.
5. One copy to Mr.G.W.Subba Rao, Advocate,CAT,Hyderabad.
6. One copy to Mr,N.R.Devraj, Sr.CGSC,CAT,Hyderabad.
7. One copy to D.R(A), CAT,Hyderabad.
8. One duplicate copy.

YLKR

30/4/97
cc today
25/4/97
TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R.R. GARGAN : M(A)

AND

THE HON'BLE SHRI D.S. JAI PARAMESHWAR:
M(J)

DATED: 24/4/97

ORDER/JUDGEMENT

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

in

O.A.No. 509/97

ADMITTED INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS
DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLKR

II COURT

