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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.629/97

dt.16-3-98

Between

Prashant V. Dondalkar : Applicant

and

1. Union of India, rep. by
Secretary
Min. of Urban Affairs and Employment
Nirman Bhavan
Hyderabad

2. Director General of Works
CPWD, Nirman Bhavan
New Delhi

3. Superintendent Engineer(Coord)
CPWD, Madras

4. Supdt. Engineer
Hyderabad Central Circle-I
Nirman Bhavan, Koti
Hyderabad

5. Executive Engineer
Hyd. Central Division-III
CPWD, Nirman Bhavan, Koti
Hyderabad

: Respondents

Counsel for the applicant : P.B. Vijayakumar
Advocate

Counsel for the respondents : V. Vinod Kumar
CGSC

coram

HON. MR. R. RANGARAJAN, MEMBER (ADMN.)

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Order

Oral order (per Hon. Mr. R. Rangarajan, Member (Admn))

Heard Sri P.B. Vijayakumar for the applicant and Sri V. Vinod kumar for the respondents.

1. The applicant in this OA worked from 5/91 to 11/93 on work order basis as Beldar and ~~his~~ later ^{he was} services were engaged on contract basis from 27-11-1993 till today in the office of Assistant Engineer, Hyderabad Central Sub-Division, by giving orders for every six months. The applicant submits that for some administrative impediments, the Department continued his service by paying salary through an intermediary till now. The Administration issued circular dated 18-8-93 interalia directing termination of employees who have not completed 240 days of service in two consecutive years. On the strength of the said communication the Administration continued his services since he had already completed more than 240 days. Even after the said circular dated 18-8-1993, the applicant submits that his services ^{are} continued and particulars of his engagement have to be forwarded to the Headquarters for regularisation.

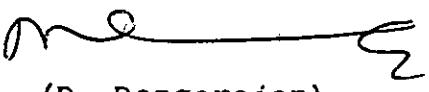
2. The main contention of the applicant in this OA is that he has been working from 5/91 onwards as Beldar under the Asstt. Engineers concerned and he is being employed on contract basis by giving the same offer every three to four months. Though it is averred in the reply statement that the applicant never worked in the respondent organisation as Beldar and he was engaged by calling for quotation/tenders



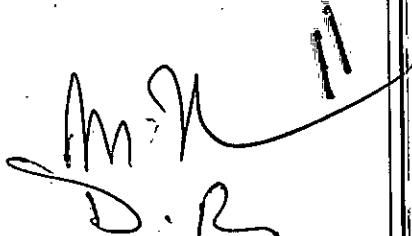
only he is not coming under the purview of the letter dated 18-8-1993 and hence his representation cannot be forwarded under the said letter.

3. It is not necessary at this juncture to reproduce the letter dated 18-8-1993. The applicant if so advised may submit a detailed representation to Respondent-2 to consider his case in accordance with letter dated 18-8-1993. That representation may also be sent to the respondents on the field level so as to enable them to give their view point on this to Respondent-2. If such a representation is received that representation should be disposed of in accordance with law within a period of three months from the date of receipt of copy of the representation by Respondent-2. If there is work for the post of Beldar ~~and~~ the applicant should be preferred to freshers.

4. With the above direction the OA is disposed of. No costs.


(R. Rangarajan)
Member (Admn.)

Dated : March 16, 98
Dictated in Open Court


D.R.

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Copy to:

1. The Secretary, Min.of Urban Affairs and Employment, Nirman Bhavan, Hyderabad.
2. Director General of Works, CPWD, Nirman Bhavan, New Delhi.
3. Superintendent Engineer(Coord), CPWD, Madras.
4. Superintendent Engineer, Hyderabad Divn, Central Circle-I, Nirman Bhavan, Koti, Hyderabad.
5. Executive Engineer, Hyd.Central Division-III, CPWD, Nirman Bhavan, Koti, Hyderabad.
6. One copy to Mr.P.B.Vijaya Kumar,Advocate,CAT,Hyderabad.
7. One copy to Mr.V.Vinod Kumar, Addl.CCSC,CAT,Hyderabad.
8. One copy to D.R(A),CAT,Hyderabad.
9. One duplicate copy.

YLKR

27/3/98
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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH-HYDERABAD

THE HON'BLE MR. B.RANGARAJAN : M(A)

AND

THE HON'BLE MR. B.S. JAI PARAMESHWAR :
M(J)

DATED:

16/3/98

ORDER/JUDGMENT

M.D./R.A/C.H.NO.

in

O.A.NO.

629/97

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS.

II COURT

YLKR

