

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

CA. No. 1862/97

O.A. 852 /97.

Dt. of Decision : 07-07-97.

- | | |
|--------------------|--------------------------|
| 1. Rajaram | 11. Shri Jayagopalachary |
| 2. Pandu | 12. Shri Mutyalu |
| 3. Ramesh | 13. Shri Savvender Singh |
| 4. Shri Mallesh | 14. Shri Balram |
| 5. Shanker | 15. Hargovind Chowdhary |
| 6. Shri Krishna | 16. Shri Raju |
| 7. K. Sattaiah | 17. Shri Gresh |
| 8. Shri Venkataiah | 18. Shri Prakash |
| 9. Shri Salaiah | 19. Shri Sudhakar |
| 10. Shri Yadagiri | 20. Shri Kunver Singh |

.. Applicants.

Vs

1. The Director of Military Farms
Headquarters, Southern Command,
Pune.
2. The Dy. Director of Military Farms
Headquarters, Southern Command,
Pune-3.
3. The Dy. Director General of Military
Farms QMG Branch, ANQ, RK Puram,
West Block III, New Delhi-2.
4. The Officer Incharge,
Military Farm, Bowenpalli, Sec'bad.
5. Shri Narasimhulu

.. Respondents.

Counsel for the applicants : Mr. A. Narasimha Reddy

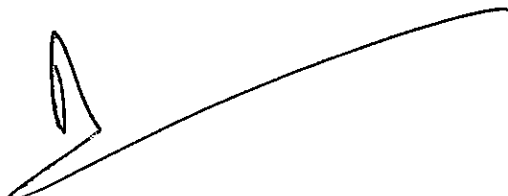
Counsel for the respondents : Mr. V. Vinod Kumar, Addl. CGSC.

CORAM:-

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

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





ORDER

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

Heard Mr. Karish for Mr. A. Narasimha Reddy, learned counsel for the applicants and Mr. V. Vinod Kumar, learned counsel for the respondents.

2. There are 20 applicants in this OA. They are aggrieved due to the regularisation of R-5 before them as they contend that they are seniors to R-5 in the casual service and hence they have to be regularised before R-5 is regularised.

3. This OA is filed praying for a declaration that the action of the respondents in adopting the pick and choose method in the selection of several persons as Farm Hands who are juniors at least to 30 persons which is contrary to Articles 14 and 16 of the Constitution of India and consequently declare that the impugned proceedings No. 080308/E/MF 2 dated 8-3-97 (Annexure-I) issued by R-2 to R-5 as void and for a consequential direction to recruit the persons by notifying the vacancies as per the law laid down by the Supreme Court.

4. As stated earlier the main grievance of the applicants are that R-5 should not be regularised earlier to them. Though the prayer ^{talks of} ~~states that~~ regularisation of several persons as Farm Hands we do not pronounce any direction in regard to others except R-5. The learned counsel for the applicants submitted that all the applicants herein have submitted a representation for regularising them through their Union. This ~~is a new case the~~ grievance arises because of the non regularisation of each individual who are the applicants in this OA. Hence they should submit their representation for redressal of their grievances individually ^{or} even though they are ^{now} are

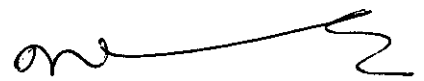
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Submission of Collective Representation through the union submitted through Union. ~~Though it is~~ not precluded them from filing individual representation. In the facts and circumstances of the case each applicants, if so advised, may submit a ~~new~~ fresh representation to R-2 for regularisation earlier to R-5. If such a representation is received R-2 will dispose of the same in accordance with law giving due notice to R-5.

5. The OA is ordered accordingly at the admission stage itself. No costs.



(B.S. JAI PARAMESHWAR)
MEMBER(JUDL.)



(R. RANGARAJAN)
MEMBER(ADMN.)

7.7.97

Dated : The 7th July 1997.
(Dictated in the Open Court)

spr


D.R. (J)

Copy to:

1. The Director of Military Farms, Head Quarters, Southern Command, Pune.
2. The Dy. Director of Military Farms, Head Quarters, Southern Command, Pune.
3. The Dy. Director General of Military Farms QMG Branch, ANQ, RK Puram, West Block. III, New Delhi.
4. The Officer Incharge, Military Farm, Bowenpalli, Secunderabad.
5. One copy to Mr. A. Narsimha Reddy, Advocate, CAT, Hyderabad.
6. One copy to Mr. V. Vinod Kumar, Addl. CGSC, CAT, Hyderabad.
7. One copy to D.R(A), CAT, Hyderabad.
8. One duplicate copy.

YLKR

24/7/97

(8)

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

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

DATE:

7/7/82

ORDER/JUDGEMENT

M.A./L.A./C.A./N.C.

U.A./N.C.

852/82

Admitted and Transmissions
Issued.

Allowed

Disposed of with directions.

Dismissed

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLKR

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केन्द्रीय प्रशासनिक न्यायालय
Central Administrative Tribunal
दस्तावेज/DESPATCH
21 JUL 1997
हैदराबाद न्यायपीठ
HYDERABAD B.