

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH 13  
AT HYDERABAD

ORIGINAL APPLICATION NO.928/97

DATE OF ORDER : 28-07-1997.

Between :-

Chikkam Muni Kumar

... Applicant

And

1. Union of India rep. by Secretary,  
M/o Defence, New Delhi.
2. Flag Officer Commanding in chief,  
Eastern Naval Command, HQ Visakhapatnam-14.
3. Base Vitualling Officer, B.V.Yard,  
Visakhapatnam-9.

... Respondents

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Counsel for the Applicant : Shri P.B.Vijaya Kumar

Counsel for the Respondents : Shri V.Rajeshwar Rao, Addl.CGSC

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CORAM:

THE HON'BLE SHRI H.RAJENDRA PRASAD : MEMBER (A) <sup>Q<sub>1</sub></sup>  
(Order per Hon'ble Shri H.Rajendra Prasad, Member (A) ).

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... 2.

(Order per Hon'ble Shri H.Rajendra Prasad, Member (A) ).

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Heard Shri Patro for Shri P.B.Vijay Kumar on behalf of the applicant and Shri V.Rajeshwar Rao for the Respondents. From the Annexure A-II, it is noticed that the applicant has worked for 212 day between September, 1992 and March, 1995. His claim seems to be based solely on this periods <sup>of duty.</sup> It is noted that the engagement of the applicant was also intermitent and was not continuous.

2. It is submitted by Shri Patro that the prayer in this OA is confined to only re-engagement of the applicant and not at present for regularisation or payment of higher rates of wages.

3. In the light of very slender basis to support the claim <sup>the</sup> only direction that can be given to respondents is that, should there be any need for casual labourers to be engaged any time in future, the services of the applicant may be utilized on Daily Wages in preference to,

(a) Fresh faces from the open market;

(b) Any Casual Labourers who is junior to him viz., who may have been engaged on casual basis from a date later than the applicant after September, 1992. It would also be necessary to clarify that no existing casual labourers should be retrenched or dis-engaged merely to accommodate <sup>the</sup> request of the present applicant.

4. Other claims contained in the OA are not pressed.

5. Thus the OA is disposed of at the admission stage itself. No costs.

  
(H. RAJENDRA PRASAD)  
Member (A)

Dated: 28th July, 1997.  
Dictated in Open Court.

avl

  
By Registrar (D) Co.

O.A.928/97.

To

1. The Secretary, Union of India,  
Ministry of Defence, New Delhi.
2. The Flag Officer, Commanding-in-Chief,  
Eastern Naval Command, HQ, Visakhapatnam-14.
3. The Base Vitualling Officer, B.V.Yard,  
Visakhapatnam-9.
4. One copy to Mr.P.B.Vijayakumar, Advocate, CAT.Hyd.
5. One copy to Mr.V.Rajeshwar Rao, Addl.CGSC. CAT.Hyd.
6. One copy to HHRP.M.(A) CAT.Hyd.
7. One copy to D.R.(A) CAT.Hyd.
8. One spare copy.

pvm.

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g/w O.A.928/97

888/97

T COURT

IN

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE  
VICE-CHAIRMAN.

and

THE HON'BLE MR. H. RAJENDRA PRASAD: M(A)

Dated: 28 - 7 - 1997

ORDER/JUDGMENT

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

in

O.A.No.

928/97

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.

pvm

q/w OA Capis

केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal  
DESPATCH

- 5 AUG 1997

हैदराबाद न्यायपीठ  
HYDERABAD BENCH