

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.1098/97

DATE OF ORDER : 01-09-1997.

Between :-

N.Yadaiah

... Applicant

And .

1. The Director General,
Ordnance Factory Board,
10-A, Auckland Road,
Calcutta.
2. The General Manager,
Ordnance Factory Project,
Yeddumailaram, Dist: Medak.
3. The Regional Director of Training,
Regional Training Institute,
Ordnance Factory Project (Board),
Yeddumailaram, Dist: Medak.

... Respondents

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Counsel for the Applicant : Shri P.Naveen Rao

Counsel for the Respondents : Shri N.R.Devaraj, Sr.CGSC

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CORAM:

THE HON'BLE SHRI R.R.ANGARAJAN : MEMBER (A)

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

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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... 2.

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

Heard Shri P.Naveen Rao, counsel for the applicant and Shri N.R.Devaraj, standing counsel for the respondents.

2. The applicant in this O.A. ~~was~~ while working as Peon-cum-Technology Asst. in temporary service post, was terminated by the impugned order No.0160/RDT/RTIMK/97-98 dt.14-8-97 (Annexure-XI page-25 to OA) by Respondent No.3.
3. This OA is filed to set aside the impugned order dt.14-8-97 issued by Respondent No.3 by holding it ^{as} illegal, arbitrary and unconstitutional and to direct the respondents to reinstate the applicant into service with all consequential benefits such as seniority, arrears of pay and allowances etc.,.
4. When the case was taken up for admission hearing, the learned counsel for the respondents submits ^{that} that there is no direction to Respondent No.3 to appoint the applicant under him by this Tribunal. The applicant was appointed under the Respondent No.3 at the request of Respondent No.2 so as to ^{mitigate} ~~mitigate~~ the hardship as the applicant was ~~an~~ unemployed. Hence the learned counsel for the respondents submits that the termination of the applicant by Respondent No.3 cannot be challenged as it is not on account of any direction given by this Tribunal.
5. On that day we had ^{asked} ~~asked~~ the learned standing counsel for the respondents to ^{check} ~~ascertain~~ whether the name of the applicant was registered for employment under Respondent No.2 and if so, to intimate to the court the seniority position of the app

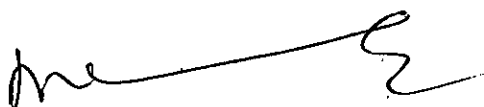
in the list -
cent. We had ^{also} further enquired from the standing counsel for the respondents ~~that~~ whether there is any possibility to give the applicant appointment ^{only}. Today learned standing counsel for the respondents submits that the name of the applicant has been registered for offering appointment against land losers' quota and his name stands ~~in the~~ ⁱⁿ second serial number in that list for appointment. Further the learned standing counsel submits that the applicant will be considered for appointment in vacancies arising in about 2 to 3 months time. In view of that, the OA may be disposed of noting the above submission.

6. The learned counsel for the applicant submits that he will be satisfied if the above submission is carried out fully and the applicant is appointed shortly.

7. ^{in view} of the above submission, we do not think any further order is necessary in this O.A. Noting the submission of the ^{learned} standing counsel, the OA is disposed of with no further orders. However, the respondents should ensure that the above undertaking should be carried out ^{as} as early as possible. It is further submitted by the Sri P.Naveen Rao, counsel for the applicant that the applicant has not been paid for the period he worked under ^{the} respondent No.3. In this regard the applicant may submit a detail ^{ed} representation to Respondent No.3 which shall be disposed of by Respondent No.3 suitably and expeditiously.

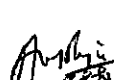
8. O.A. is ordered accordingly at the admission stage itself.
No order as to costs.


(B.S. JAI PARAMESHWAR)
Member (J)


(R. RANGARAJAN)
Member (A)

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1.9.97
Dt. 1st September, 1997. (Dictated in Open Court).


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Copy to:

1. The Director General, Ordnance Factory Board,
10-A, Auckland Road, Calcutta.
2. The General Manager, Ordnance Factory Project,
Yeddumailaram, Medak District.
3. The Regional Director of Training, Regional Training Institute,
Ordnance Factory Project, (Project),
Yeddymailaram, Medak District.
4. One copy to Mr. P. Naveen Rao, Advocate, CAT, Hyderabad.
5. One copy to Mr. N. R. Devraj, Sr. CGSC, CAT, Hyderabad.
6. One copy to D. R. (A), CAT, Hyderabad.
7. One duplicate copy.

YLOR

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12/9/87
TYPED BY
COMPILED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

THE HON'BLE SHRI B. S. J. I. P. RAMESHWAR:
(M) (J)

Dated: 1-9-87

~~ORDER/JUDGEMENT~~

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

in

C.A.NO. 1098/97

~~Admitted and Interim Directions
Issued.~~

~~Allowed~~

~~Disposed of with Directions~~

~~Dismissed~~

~~Dismissed as withdrawn~~

~~Dismissed for Default~~

~~Ordered/Rejected~~

~~No order as to costs.~~

YLKR

II Court

