

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

28

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,  
Yeddu-mailaram, Dist: Medak.
3. The Regional Director of Training,  
Regional Training Institute,  
Ordnance Factory Project (Board),  
Yeddu-mailaram, 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.RANGARAJAN : MEMBER (A)

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

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

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

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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 illegal, arbitrary and unconstitutional and to direct the respondents to reinstate the applicant ~~onto~~ 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 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 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 the learned standing counsel for the respondents to ~~see~~ <sup>check</sup> that 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

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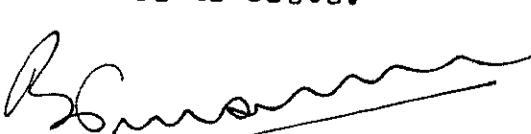
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intervent. abr 20  
contd. We have further enquired from the standing counsel for the respondents that whether there is any possibility to give the applicant appointment. Today learned standing counsel for the respondents submits that the name of the applicant has been registered for offering appointment against land losers' quota and his name stands ~~in the~~ 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 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 respondent No.3. In this regard the applicant may submit a detailed representation to Respondent No.3 which shall be disposed of by Respondent No.3 suitable and expeditiously.

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

  
(B.S.JAI PARAMESHWAR)  
Member (J)  
av1/ Dt. 1st September, 1997. (Dictated in Open Court).

  
(R.RANGARAJAN)  
Member (A)  
Auth. by  
P.R.S.

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),  
Yeddumailaram, 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.

YLR

12/9/97

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TYPED BY  
CHECKED BY

APPROVED BY  
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD

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

AND

THE HON'BLE SHRI B. S. D. I. PARAMESHWAR :  
(M) (D)

Dated: 1-9-97

ORDER/JUDGEMENT

M.C.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.

YLR

II Court

केन्द्रीय प्रशासनिक विधिकरण  
Central Administrative Tribunal

DESPATCH

- 9 SEP 1997

हैदराबाद न्यायपीठ  
HYDERABAD BENCH