

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

O.A. 1108/97 .

Date of decision: 22.8.97

Between:

1. B. Sathaiah
 2. G.Rajender Rao
 3. Shaik Ali
 4. M. Shankar
 5. Sher Bahadur Sen
- ... Applicants

And

1. Director General of Works,
C.P.W.D.,
New Delhi.
 2. Chief Engineer,
C.P.W.D.,
South Zone, Tilak Road,
Hyderabad.
 3. Superintending Engineer
(Co-ordination)
South Zone, CPWD,
Basant Nagar, Madras.
- ... Respondents

Shri P. Naveen Rao ... Counsel for applicant
Ms. Shyama representing ACGSC ... Counsel for respondents

CORAM

HON'BLE SHRI H. RAJENDRA PRASAD, MEMBER (ADMINISTRATIVE)

ORDER

Heard Mr. Phani Raj on behalf of Mr. P.Naveen Rao for the applicants and Ms. Shyama on behalf of the respondents.

The applicants herein have been working as Motor Lorry Drivers on casual basis on consolidated pay for periods ranging from 6 to 9 years. Their services have been utilised continuously without any break. The applicants had approached this Tribunal on several occasions and certain directions were issued on each such occasion. The grievance of the applicants, simply stated, is that their services have not been regularised despite the fact that they have rendered continuous service with the respondents, unfilled vacancies are available and that they have been constantly submitting representations in this regard.

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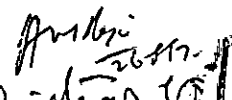
2. The position as it seems to emerge now is that there is one vacancy in the direct recruitment quota available to be filled for which these applicants may be eligible for consideration subject to their fulfilling the requisites. As against this, nine posts had been duly sanctioned and created but not filled up which fall under the departmental promotion quota. It is stated that these nine posts cannot be filled because none in the feeder-cadre(s) fulfils the requisite conditions for the posts. Under the circumstances, Superintendent Engineer (Coordination), South Zone, Madras (Respondent-3) has been suggesting to Respondent-2 to permit him to resort to direct recruitment against the newly-created nine vacancies. If this is agreed to it may be possible to consider the applicants' candidature against the unfilled posts. The matter appears to be pending with Respondent-1. This aspect deserves to be examined on merits and as per rules, and a suitable decision needs to be taken within a reasonable time.

3. It is therefore directed that Respondent-1 may have the suggestion examined, take a suitable decision in the matter and communicate the same to Respondents 2 and 3 within 90 days from the date of receipt of a copy of this order. If a decision so taken results in the opening-up of a possibility of entertaining the claims of the applicants for regularisation, it is also directed that the same may be got examined as per rules, their fitness and eligibility, and necessary follow-up action in that regard be initiated and completed within 90 days thereafter.

Thus the O.A. is disposed of.


(H. Rajendra Prasad)
Member (Administrative)

22nd August, 1997


Deputy Registrar

O.A.1108/97.

To

1. The Director General of Works,
C.P.W.D. New Delhi.
2. The Chief Engineer, C.P.W.D. South Zone, Tilak Road,
Hyderabad.
3. The Superintending Engineer (Co-Ordination),
South Zone, CPWD, Basant Nagar, Madras.
4. One copy to Mr. P. Naveen Rao, Advocate, CAT. Hyd.
5. One copy to Mr. K. Ramulu, 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.

22/8/97

I Court.

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:- 22-8-97

ORDER/JUDGMENT.

M.A../RA../C-A.No..

in

O.A.No. 1108/97,

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

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal

अवकाश/DESP/TCN

29 AUG 1997

हैदराबाद बेंच
HYDERABAD BENCH