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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 14/97

Date of Order : 11.9.98

BETWEEN :

1. K.Ranganna	11. M.Hussain
2. B.A.Ekambaram	12. P.A.Hassan Valli
3. Syed Ismail	13. G.Prabhudas
4. C.Anjaneyulu	14. G.Jayanna
5. S.Masthan	15. G.Prakasham
6. S.Rajak Vali	16. V.Obulesu
7. P.Devadas	17. P.Subramanyam
8. P.Bala Narasimhulu	18. B.Nagaraj
9. S.Sheriff	19. A.V.Krishna
10. P.S.Ramana	20. P.Abdul Gafoor

.. Applicants.

AND

1. The Union of India, rep. by the General Manager, S.C.Rly., Rail Nilayam, Secunderabad.
2. The Chief Personnel Officer, S.C.Rly., Secunderabad.
3. The Divl.Railway Manager (Commercial), S.C.Rly., O/o D.R.M.'s Office, Guntakal.
4. Sr.Divisional Personnel Officer, S.C.Rly., Guntakal.
5. M.Ranganna
6. B.Sunder Raju
7. M.Ramachandra
8. K.Rama Murthy
9. B.Balaiah
10. K.Krishna
11. Md. Usman
12. M.Gopal
13. M.V.Ramana

.. Respondents.

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Counsel for the Applicants

.. Mr.S.RamakrishnaRao

Counsel for the Respondents

.. Mr.C.V.Malla Reddy

CORAM :

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

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





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O R D E R

X As per Hon'ble Shri R.Rangarajan, Member (Admn.) X

Mr. S. Ramakrishna Rao, learned counsel for the applicants.

2. There are 20 applicants in this OA. Their prayer and contentions are similar to the prayer and contentions raised by the applicants in O.A. 12/97. Hence it is not necessary to repeat the contentions and prayer in this OA as it is already been stated in O.A. 12/97.

3. Reply has been filed in this OA. Para-4 of the reply is relevant in this OA. Para-4 of this reply is almost same as the para-4 of the reply given in OA. 12/97 which had already been extracted in that OA. However a statement has been made in para-4 of the reply which is not finding place in the reply of the earlier OA. The statement reads as below :-

"As stated earlier in above paras, the 22 listed commission Vendors/Bearers were also absorbed as Servers of Catering Department on the basis of seniority assigned on the basis of date of engagement. Accordingly the applicants Nos. 4, 8, 14, & 16 herein were also absorbed as Servor".

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4. The applicant on the basis of the above extracted portion submits that ~~he~~ ^{they are} senior to the applicants 4, 8, 14 & 16 on the basis of the number of days ~~they~~ ^{they} ~~others~~ had put in as commission Vendors/Bearers. ~~He~~ ^{they} further adds that the department is adopting a policy of pick and choose by choosing some junior

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Candidates

people for absorption as Servors whereas the senior applicants in the OA were not given the regular post of Servor. The respondents are silent in this connection. The learned counsel for the respondents could not say any reason for that. He only tries go round the bush without any rhyme or reason.

5. In view of the above, the following direction is given :-

- (a) The OA does not survive in regard to the applicants Nos 4, 8, 14 & 16 herein as they were already ^{have been} absorbed as Servor.
- (b) The respondents should immediately indicate the reason for choosing the applicants 4, 8, 14 & 16 only for appointing them as Servor and not other applicants. If the applicants 4, 8, 14 & 16 are seniors on certain basis then the same should have been indicated in the reply. As the reply is silent it becomes necessary for us to give a direction to inform the ~~the~~ applicant for choosing only the applicants 4, 8, 14 & 16 for absorption as Servor and not other applicants.
- (c) The respondents should inform the applicants whether their names are in the list and if so their seniority position in that list.
- (d) If their names are not in the list then the respondents should inform stating the reasons for not including the names of the applicants other than the applicants 4, 8, 14 and 16 in the list.

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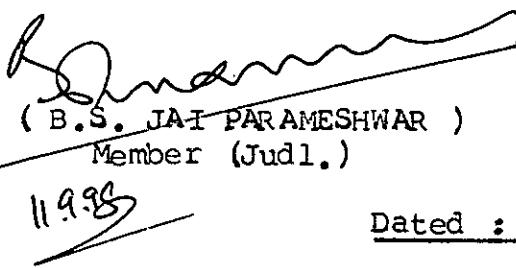
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(e) If the applicants are aggrieved by the reply ^{as per} given for, the direction as above they are at liberty to approach this Tribunal challenging the same in accordance with the law.

(f) Time for compliance is 2 months from the date of receipt of a copy of this order.

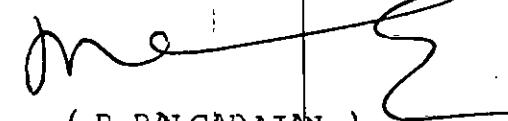
6. The OA is disposed of with the above directions.

No costs,


(B.S. JAI PARAMESHWAR)

Member (Judl.)

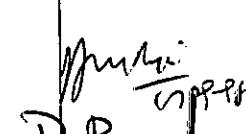
11.9.98


(R.RANGARAJAN)

Member (Admn.)

Dated : 11th September, 1998

(Dictated in Open Court)


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Copy to:

1. The General Manager, South Central Railway, Railnilayam, Secunderabad.
2. The Chief Personnel Officer, South Central Railway, Secunderabad.
3. The Divisional Railway Manager, (Commercial), South Central Railway, O/O D.R.Ms. Office, Guntakal.
4. One copy to Mr. S. Ramakrishna Rao, Advocate, CAT, Hyderabad.
5. One copy to Mr. C. V. Malla Reddy, Addl. CGSC, CAT, Hyderabad.
6. One copy to D.R(A), CAT, Hyderabad.
7. One duplicate copy.

8. One copy to S.D.P.O; Sec Guntakal

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9/10/98
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II COURT

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APPR VED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 11/9/98

ORDER/JUDGMENT

M.A/R.A/C.P.NO.

in

O.A. NO. 14/97

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLR

CO/II
Check the address/MS/MSL
Central Administrative Tribunal
HYDERABAD BENCH
DESPATCH

