

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH

AT HYDERABAD

OA.1504/97

dt.6-2-98

Between

1. G. Nandi
2. C. Murthy
3. S. Ayyanna
4. G. Chinababu
5. P. Sivamurthy
6. G. Ramachandra
7. K. Srinivasulu

: Applicants

and

1. Union of India, rep. by
 Secretary to Govt.
 Railway Board
 Min. of Railways
 New Delhi

2. Genl. Manager
 SC Rly., Rail Nilayam
 Secunderabad

3. Chief Comml. Manager
 SC Rly., Rail Nilayam
 Secunderabad

4. Divnl. Railway Manager
 Guntakal Divn.
 SC Rly., Guntakal

: Respondents

Counsel for the applicants

: N. Rama Mohan Rao
 Advocate

Counsel for the respondents

: C. Venkat Malla Reddy
 SC for Railways

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HON. MR. B.S. JAI PARAMESHWAR, MEMBER (JUDL.)

QA.1504/97

dt.6-2-98

Order

Oral order (per Hon. Mr. B.S. Jai Parameshwar, Member(Judl.))

Heard Sri Siva, learned counsel for the applicants and Sri C.V. Mall Reddy, learned counsel for the respondents.

1. There are seven applicants in this OA. They were engaged on piece-rate basis for doing the work of loading and unloading the parcels in the Parcel Office, Railway Station, Adoni. They were engaged as such between 1980 and 1982 and have been continuously engaged as and when there was work.

2. They, relying upon the decision of Hon'ble Supreme Court in Civil Appeal No.4259/91 dated 7-2-1994 and also relying on the decision in OA.1017/94 of this Bench, pray for a direction to the respondents to frame a scheme of absorption in respect of piece-rate labour of the Parcel office at Railway Station, Adoni, in terms of the orders passed by the Hon'ble Supreme Court of India in SLP.4259/91 and consequently direct the respondents to prepare a list of piece-rate-labourers working in the Parcel office at Railway Station, Adoni, based upon the number of mandays rendered by each in the order of priority and then absorb them based on such list.

3. No counter has been filed in this OA.

4. Relying upon the decision of the Hon'ble Supreme Court in SLP.4259/91 and also the order dated 28-2-1997 of this Bench in OA.1017/94, I feel it proper to issue the following directions to the respondents :

(a) The case of the seven applicants in this OA should be examined to see whether the case is similar to the applicants in SLP.4259/91 for whom a Scheme was framed as per the directions of Hon'ble Supreme Court.

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(b) If the cases of all the seven applicants herein are found to be same as that of the applicants in SLP.4259/91 then such applicants also should be given the same relief as per the Scheme formulated in pursuance of the direction given by Hon. Supreme Court.

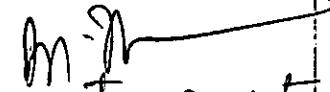
(b) However, it is made clear that the applicants will get the benefits of the scheme only after all the earlier piece-rated-labourers are absorbed.

4. With the above directions, the OA is disposed. No order as the costs.


(B.S. Jai Parameshwar)
Member (Jud1.)

6/2/98

Dated :- 6 February, 98
Dictated in Open Court


Deputy Registrar

sk

O.A.1504/97.

To

1. The Secretary to Govt.,
Railway Board, Min.of Rlys,
Union of India, New Delhi.
2. The General Manager, SC Rly,
Railnilayam, Secunderabad.
3. The Chief Commercial Manager,
SC Rly, Railnilayam, Secunderabad.
4. The Divisional Railway Manager,
Guntakal Division, SC Rly, Guntakal.
5. One copy to Mr.N.Rammohan Rao, Advocate, CAT.Hyd.
6. One copy to Mr.C.Venkata malla Reddy, SC for Rlys, CAT.Hyd.
7. One copy to HBSJP.M.(J) CATHyd.
8. One spare copy.

pvm.

13/2/98

I Court

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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)

The Hon'ble Mr. B. S. Jaiparamerwala, M(G)

DATED: 6-2-1998

ORDER/JUDGMENT:

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

in

O.A.No. 1504/97

T.A.No.

O.W.R

Admitted and Interim directions
Issued.

Allowed

Disposed of with direction

Dismissed.

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm.

