

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
HYDERABAD

O.A.No. 1606 OF 97

DATE OF DECISION: 22-4-98

S.K. Basha PETITIONER(S)

S. Ramakrishna Rao ADVOCATE FOR THE
PETITIONER(S)

GM, SC Rly., Secunderabad
and 4 others

VERSUS

RESPONDENT(S)

V, Bhimanna

ADVOCATE FOR THE
RESPONDENT(S)

THE HON'BLE H. Rajendra Prasad, M(A)

THE HON'BLE

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether the Judgement is to be circulated to the other Benches?

JUDGEMENT DELIVERED BY HON'BLE Mr. H. Rajendra Prasad, M(A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.1606/97

Dated : 22-4-98

Between

S.K. Basha

: Applicant

and

1. General Manager
SC Rly., Secunderabad

2. Chief Personnel Officer
SC Rly., Secunderabad

3. Chief Comm'l. Superintendent
SC Rly. Secunderabad

4. Sr. Divnl. Personnel Officer
SC Rly., Guntakal Division
Guntakal, Anantapur Dist.

5. Divnl. Rly. Manager
SC Rly., Guntakal Division
Guntakal, Anantapur

: Respondents

Counsel for the applicant

: S. Ramakrishna Rao
Advocate

Counsel for the respondents

: V. Bhimanna
SC for Railways

CORAM

HON. MR. H. RAJENDRA PRASAD, MEMBER (ADMN.)

,OA.1606/97

dated : 22-4-1998

Order

Oral order (per Hon. Mr. H. Rajendra Prasad, Member(Admn))

Heard Sri S. Ramakrishna Rao for the applicant and Sri V. Bhimanna, CGSC, for the respondents.

1. The grievance of the applicant in this OA is concerning the non-regularisation of his service as Catering Cleaner. He was engaged as Contract Catering Cleaner from 1-1-1983 and worked as such till 22-4-1991 when he was disengaged. Hon'ble Supreme Court vide judgement in AIR 1991 (SC) 26 (Catering Cleaners of SC Rlys. Vs. Chief Commercial Superintendent, SC Rly.) directed the authorities to absorb the petitioners therein on expiry of a maximum of nine months from the date of the order i.e. 4-2-87, to refrain from employing contract labourers and to continue the services of the petitioners in the capacity in which they happened to be working on the date of the Court's decision and further to regularise the services of such of the petitioners who had been absorbed and made departmental employees. It would appear that pursuant to the above judgement a large number of cleaners were duly absorbed and their services regularised. The applicant herein complains that he was not called for screening test held on 11-12-1995 for reasons not known to him.

2. The respondents have not filed any counter affidavit in this case. Their stand, therefore, is not known. If the contents of the OA are factually correct, and if the records held by the authorities confirm the fact of the

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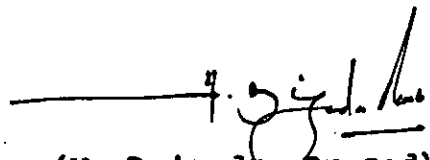
(25)

engagement as stated by the applicant in the OA, and if the applicant is not otherwise ineligible for consideration, it is directed that his screening be arranged within 120 days from this day, a suitable decision taken with regard to his absorption, and have it conveyed to the applicant, and ~~arrange~~ for his screening within thirty days thereafter.

3. The applicant shall have the liberty to agitate his grievance, if so advised, in case he happens to be aggrieved by the same.

4. It is understood that the applicant is still being engaged intermittently whenever work is available on the strength of the interim order passed on 24-12-1997. The arrangement should continue until a final decision is taken and communicated and action as indicated in para 2 above is completed.

5. Thus the OA is disposed of.


(H. Rajendra Prasad)
Member (Admn)

Dated : April 22, 1998
Dictated in Open Court

*Prashant
Touler
gnc*

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