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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.1655 of 1997

DATE OF ORDER:23rd December, 1997

BETWEEN:

S.A.HUSSAIN

.. APPLICANT

AND

1. Union of India rep. by its
General Manager, South Central Railway,
Secunderabad,
2. The Divisional Railway Manager,
S.C.Railway, Vijayawada Division,
Vijayawada,
3. The Sr. Divisional Personnel Officer,
S.C.Railway, Vijayawada Division,
Vijayawada.

.. RESPONDENTS

COUNSEL FOR THE APPLICANT: Mr.K.K.CHAKRAVARTHY

COUNSEL FOR THE RESPONDENTS: Mr.V.RAJESWARA RAO, Adl.CGSC

CORAM:

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

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

JUDGEMENT

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN, MEMBER(ADMN.))

Heard Mr.K.K.Chakravarthi, learned counsel for the applicant and Mr.V.Rajeswara Rao, learned standing counsel for the respondents.

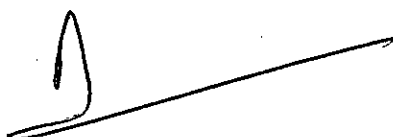
2. The applicant in this OA was engaged as Casual Labourer by R-3 in Rayanapadu Shed/Vijayawada from 4.8.81 and he was continued as such till 1991. He was granted

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Temporary Status from 8.5.1982. It is stated that he was not found fit for appointing him in a post other than medical category C-2. However, he was considered for reengagement as Summer Waterman in the pay scale of Rs.750-940 and was posted as such by the Office Order No.COMML/58/1992 dated 29.4.92 (Annexure A-2 at page 7 to the OA). The applicant submits that he approached the medical authorities who examined him afresh in 1993 and declared him fit for B-1 category. Hence he requested for consideration of his case for regularisation as Casual Labourer in B-1 medical category by his representation dated 6.8.93 (Annexure A-3 at page 8 to the OA) addressed to R-3. But it is not known whether any action is taken thereon. Be that as it may, the applicant further submitted another representation addressed to R-3 dated 12.7.97 (Annexure A-5 at page 10 to the OA). Even in this representation he requested for absorbing him in C-2 category. ~~By~~ By his earlier letter dated 6.8.93 he asserts that he is fit for B-1, ^{It is} it is not understood why he now asks in 1997 for absorption in C-2 category. However, no direction can be given in this OA as details are to be checked and if required the applicant may have to undergo another medical examination.

4. In view of the above, R-3 is directed to dispose of the representation of the applicant dated 12.7.97 (Annexure-5 at page 10 to the OA) in accordance with the rules within a period of three months from the date of receipt of a copy of this order.

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5. The OA is ordered accordingly at the admission stage. No order as to costs.

6. Registry to send a copy of the OA along with the judgement to R-3.



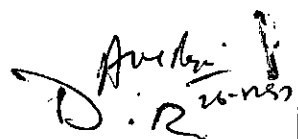
(B.S.JAI PARAMESHWAR)
MEMBER (JUDL.)

23.12.97



(R.RANGARAJAN)
MEMBER (ADMN.)

DATED: 23rd December, 1997
Dictated in the open court.



vsn

DA.1655/97

Copy to:-

1. The General Manager, South Central Railway, Secunderabad.
2. The Divisional Railway Manager, South Central Railway, Vijayawada Division, Vijayawada.
3. The Senior Divisional Personnel Officer, South Central Railway, Vijayawada Division, Vijayawada.
4. One copy to Mr. K.K. Chakravarthy, Advocate, CAT., Hyd.
5. One copy to Mr. V. Rajeswara Rao, Addl. CGSC., CAT., Hyd.
6. One copy to D.R.(A), CAT., Hyd.
7. One duplicate.

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TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

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

Dated: 23/12/97

~~ORDER / JUDGMENT~~

~~MA./R.A./C.A.NO.~~

in

O.A.NO. 1655/97

Admitted and Interim Directions
Issued.

Allowed

Disposed of With Directions

Dismissed

Dismissed as Withdrawn

Dismissed for Default

~~Ordered/Rejected~~

No order as to costs.

SRR

II Court

A/w comparisons
R3

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