

57

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH  
AT HYDERABAD

OA.571/99

dt.24-11-99

Between

K.G. Lakshamma

: Applicant

and

Central Tobacco Research Instt.  
(CTRI), Research Station  
rep. by its Director  
Kandukur, Prakasham District.

: Respondents

Counsel for the applicant

: M. Keshava Rao  
Advocate

Counsel for the respondent

: V. Rajeswara Rao  
CGSC

Coram

Hon. Mr. Justice D.H. Nasir, Vice Chairman

OA.571/99

dt.24.11.99

Order

Oral order (per Hon. Mr. Justice D.H. Nasir, Vice Chairman)

Heard Mr. M. Kesava Rao, learned counsel for the applicant and Mr. V. Rajeswara Rao, learned standing counsel for the respondents.

1. The applicant in this OA is seeking a declaration that the action of the respondent in terminating the services of the applicant orally instead of regularizing her services is illegal and void. Consequently, the respondent is sought to be directed to regularize the services of the applicant with all consequential benefits.

2. The applicant joined as Farm Worker in the respondent Institute, with effect from 28.7.1977 on daily wage basis. Some of the workers who joined along with her in 1977 were regularized in 1990 and some of them who joined after the applicant were also regularized. The applicant, therefore approached the Hon'ble High Court by way of filing WP.21408/95 and the Hon'ble High Court was pleased to direct the respondent to consider the case of the applicant for regularization pending disposal of the writ petition. However, according to the applicant in spite of the above direction given by the Hon'ble High Court her services were orally terminated on 2.3.96. Therefore, the applicant filed WP.MP.5665/96 in WP.21408/95 and obtained interim direction to continue the applicant in service till further orders. On 10.3.99 when the matter was posted for final hearing before the Hon'ble High Court the applicant was directed to approach the Central Administrative Tribunal within two weeks and further directed the office to return the papers to the applicant. Accordingly, the present OA came to be filed by the applicant.

3. The respondent did not dispute the fact that the applicant joined the Institute on 28.7.1977. However, according to the respondent she did not work

*Am*


for 240 days in any Tobacco season from the date of her engagement and therefore she had not become eligible for conferment of temporary status.

4. The learned counsel for the applicant drew my attention to the order passed in OA.494/99 on 2.9.99 by this Tribunal in which the applicants were similarly situated as in the present case and the same was disposed of with certain directions as stated in paragraph 10 of the said order.

5. Since the facts of the present case are similar, I believe that the interests of justice will be served if the present OA is also disposed of with the same direction as given in the OA.494/99.

6. Hence, the following directions are given in the present OA:

- a) The respondent shall consider the case for regularization of the applicant in accordance with the scheme dated 10.9.93 within three months from the date of receipt of the copy of this order.
  - b) In case the respondent have regularized any of the juniors to the applicant then they must consider the case of the regularization of such applicants on par with their juniors.
  - c) Till such time the respondents shall continue to engage the applicant for seasonal work in preference to freshers from the open market.
7. The OA is disposed of accordingly. No costs.


  
(DH Nasir)

Vice Chairman

Dated: 24 November, 99

Sk

Dictated in Open court

  
20/11/99