

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH  
AT HYDERABAD.

..

O.A.No.93/99.

- - - - -

Date of decision: 30-3-1999.

- - - - -

Between:

K.V.Ramaiah. .. Applicant.

and

- 1.The Union of India represented by  
the General Manager, S.C.Railway,  
Rail Nilayam, Secunderabad.
- 2.The Chief Personnel Officer,  
S.C.Railway, Secunderabad.
- 3.The Divisional Railway Manager(Commercial),  
S.C.Railway, O/O D.R.M's Office,  
Guntakal.
- 4.Senior Divisional Personnel Officer,  
S.C.Railway, Guntakal. .. Respondents.

Counsel for the Applicant: Sri S.Ramakrishna Rao.

Counsel for the Respondents: Sri J.R.Gopal Rao.

CORAM:

Hon'ble Sri R.Rangarajan, Member (A)

Hon'ble Sri B.B. Jai Parameshwar, Member (J)

JUDGMENT.

(by Hon'ble Sri R.Rangarajan, Member(A)

--

Heard Sri S.Ramakrishna Rao for the applicant  
and Sri J.R.Gopal Rao for the respondents.

The applicant in this O.A., is working as  
Commission Vendor/Bearer in Vegetarian Refreshment Room,  
S.C.Railway, Guntakal Division. It is stated that he  
has been working for several years as such. It is also

R

~

: 2 :

stated that the applicant had put in continuous service of 2437 days . The applicant in page 7 of the O.A., submits that one Sri Ramachandra who had completed 2428 days of service has been regularly absorbed. Similar is the case with respect to M.V.Ramana who had put in only 2420 days service.

This C.A., is filed praying for a direction to the respondents to absorb the applicant who is the senior on the basis of the number of days of work put in by him as Vendor/Bearer in Group "D" Post duly regularising his services as considered in the case of his juniors, with all consequential benefits.

We have recently disposed of a case wherein we have held that if juniors who are in the screened list <sup>seniority list</sup> ~~and are~~ <sup>and were absorbed,</sup> had put in less number of days than the applicant, <sup>also</sup> then the applicant in that case <sup>also</sup> should be absorbed. Hence, the <sup>shall</sup> services of the applicant in this O.A./ also be absorbed as per his qualifications, if his juniors are regularised.

Hence, the following directions are given after perusing the reply filed by the respondents.

- 1) The case of applicant shall also be considered for absorption in accordance with his qualifications and extant rules if his juniors who had put in less number of days service than the applicant had already been regularised in Railway service in Guntakal Division.


*Tr*

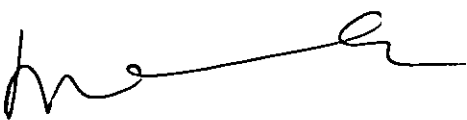
*[Signature]*

11) In case any of the juniors who possess the qualifications and service as the applicant, <sup>is not required</sup> then his case should be kept in the seniority list for consideration as and when his ~~xx~~ turn comes.

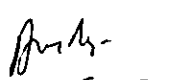
111) The applicant shall be informed of the result within two months from the date of receipt of a copy of this Order.

With the above directions, the O.A., is disposed of. No costs.

  
(B.S. JAI PARAMESHWAR)  
30/3/99 Member (J)

  
(R. RANGARAJAN)  
Member(A)

Date: 30-3-1999.  
-----  
Dictated in open Court.

  
S.S.S.