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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH

AT HYDERABAD

ORIGINAL APPLICATION NO.603/99

DATE OF ORDER : 24.01.2000

Between:-

Shanmugan Murugesan

..Applicant

And

1.The Admiral Superintendent,
Naval Dockyard, Visakhapatnam-530 014.

2.The Flag Officer Commanding-in-Chief,
Eastern Naval Command, Naval Base,
Visakhapatnam-530 014.

..Respondents

COUNSEL FOR THE APPLICANT : Shri P.B.Vijay Kumar

COUNSEL FOR THE RESPONDENTS:Shri B.N.Sharma, Sr.CGSC

CORAM:

THE HON'BLE JUSTICE SHRI D.H.NASIR : VICE-CHAIRMAN

THE HON'BLE SHRI S.MANICKA VASAGAM : MEMBER (A)

(Order per Hon'ble Shri S.Manicka Vasagam, Member (A)).

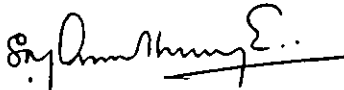
...2.

(Order per Hon'ble Shri S.Manicka Vasagam, Member (A)).

The applicant was recruited on 16.7.1981 to the post of Sail Maker. He was given a token No.9741. It is the case of the applicant that he has not been appointed on regular basis and therefore he is before the Tribunal seeking the following relief :-

To direct the respondents to implement the operative portion of the Judgment of this Hon'ble Tribunal in OA 1663/98 dated 15.12.1998 by re-employing the applicant as Sail Maker Gr.II on par with his juniors who were already re-employed and presently working as Sail Maker in Naval Dockyard (V) with all consequential and attendant benefits.

2. The respondents filed a detailed reply. It is averred in the reply that the applicant had approached this Tribunal on an earlier occasion seeking a similar relief in OA 1663/98. The Tribunal had observed 'however, if any juniors/freshers engaged, the applicant's case may be considered'. In the reply it is also stated (para-22) that no juniors to the applicants had been appointed so far.
3. When the OA was called, the applicant was not present. Neither his counsel was present. However, we have the benefit of hearing Sri M.C.Jacob for Sri B.N.Sarma, learned standing counsel for the Respondents. He generally confirmed the reply filed by the Respondents.
4. As seen from the reply, it is evident that no freshers/juniors have been appointed to any post by the Respondents. Therefore we do not see any merit in the application. Further we make it clear that if there is any need for engaging casual laborers, then the applicant should be given preference as against freshers from the open market. With these observations, the OA is dismissed. No order as to costs.


(S.MANICKA VASAGAM)

MEMBER(A)


(D.H.NASIR)

VICE-CHAIRMAN

Dated: 24th January, 2000.
Dictated in Open Court.

avl/



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH : HYDERABAD.

~~1ST AND 2ND COURT~~

COPY TO:

1. HDHND
2. ~~HRRN~~ M (ADMN.) ✓
3. HBSJP M (JUDL.)
4. D.R. A (DMN.) ✓
5. SPARE ✓
6. ADVOCATE
7. STANDING COUNSEL

TYPED BY
COMPILED BY

CHECKED BY
APPROVED BY

1-2-2000

THE HON'BLE MR. JUSTICE D.H. NASIR
VICE CHAIRMAN

S. MANICKAVASAGAM
THE HON'BLE MR. R. RAMSARATHAN
MEMBER (ADMN.)

THE HON'BLE MR. B.S. JAI PARAMESWAR
MEMBER (JUDL.)

* * *

DATE OF ORDER: 24-01-2000

MA/RA/CP.NO.

IN

QA. NO. 603/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

CP CLOSED

RA CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER REJECTED

NO ORDER AS TO COSTS

