

✓ WF

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA.No.866/99

Date of order: 4-9-2000

Between:

G.Gangaraju.

....Applicant

A n d

1. The Secretary,
Ministry of Defence,
Govt.of India, New Delhi.
2. Chief of Naval Staff,
Naval Headquarters,
Ministry of Defence,
DHQ PO, New Delhi.
3. The Flag-Officer-Commanding-in-Chief,
Eastern Naval Command,Visakhapatnam.
4. The General Manager,
Naval Armament Depot,
Visakhapatnam.

....Respondents

Counsel for the Applicant - Mr.K.Sudhakar Reddy,Advocate

Counsel for the Respondents- Mr.B.Narasimha Sharma,Sr.CGSC

CORAM :

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

AND

THE HON'BLE MR.V.K.MAJOTRA : MEMBER (ADMN.),PRINCIPAL BENCH

...

O R D E R

(Per Hon'ble Mr.V.K.Majotra, Member (Admn.))

18 Applicants including the present applicant had earlier-on filed WP.1689/85 before the Hon'ble High Court of AP which was transferred as TA.868/86 to this Tribunal for disposal. The same was disposed of vide order dt.2.8.1988 with the direction that the applicants be regularised from the date of recruitment and they be given benefits admissible to regular employees.

..contd..2

IN THE CENTRAL ADMINISTRATIVE
TRIBUNAL :: HYDERABAD BENCH
AT HYDERABAD

O.A.No. 866 of 1999



REPLY STATEMENT FILED ON BEHALF
OF THE RESPONDENTS

[Handwritten signature]
on 16/6/2000
[Handwritten signature]

B.NARASIMHA SHARMA,
Sr.CGSC.

Counsel for the Respondents.

*may be filed
on
16/6/00.*

the applicant and then determine whether the period of absence ^{between} ~~during the period~~ 2.1.1984 ^{and} ~~to~~ 23.2.1984 was authorised or unauthorised. Without conducting such an enquiry the finding of unauthorised absence for the period aforesaid cannot be ~~vested~~ upon the applicant and the respondents cannot be allowed to retrace the earlier regularization of the services of the applicant w.e.f. 4.4.1981 as per the ratio of the order dt. 2.8.1988 of this Tribunal.

8. Having regard to the above discussion and reasons we find merit in the OA and allow the same accordingly setting aside the order dt. 21.5.1993 whereby the date of regularization of services of the applicant was ^{revised} ~~secured~~ from 4.1.1981 to 23.2.1984 and direct the respondents to regularise the services of the applicant w.e.f. 4.4.1981 (the date of initial appointment) as before. However as regards the period of absence of the applicant from 2.1.1984 to 22.2.1984 the department would be free to take appropriate action as per rules. No costs.

V.K. Majotra

(V.K. MAJOTRA)
Member (Admn.)

D.H. Nasir

(JUSTICE D.H. NASIR)
Vice-Chairman

'SA'

Dated: 4th September, 2000
(Dictated in open court)

h
11/10/00

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH:HYDERABAD

COPY TO:-

1ST AND 2ND COURT

1. HDHND
2. HRRN (ADMN) MEMBER
3. HBSJP (JUDL) MEMBER
4. D.R. (ADMN)
5. SPARE
6. ADVOCATE
7. STANDING COUNSEL

TYPED BY CHECKED BY
COMPARED BY APPROVED BY

THE HON'BLE MR. JUSTICE DH. NASIR
VICE - CHAIRMAN

THE HON'BLE MR. V.K. MARGOTA MEMBER (A)

THE HON'BLE MR. P. RANGARAJAN
MEMBER (ADMN)

THE HON'BLE MR. BS. JAI PARAMESHWAR
MEMBER (JUDL)

DATE OF ORDER

4/9/2000

MA/RA/CP.NO

IN

CA.NO.

866/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

C.R. CLOSED

R.A. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO ORDER AS TO COSTS

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