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CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD.

No. O.A. 1006 of 1999.

DATE OF ORDER : 12.6.2000

BETWEEN :

A.C.H.KONDAIAH, aged 48 years,  
Ex-Gangman,  
S/o A.A.Kondaiah,  
Indlacheruvu Village,  
Donakonda Mandal,  
Prakasham District, A.P.

... Applicant

A N D

1. The General Manager,  
South-Central Railway, Secunderabad.
2. The Divisional Railway Manager,  
South Central Railway, Vijayawada.
3. The Assistant Engineer,  
South Central Railway, Guntur.

... Respondents

Counsel for applicant : Mr.N.V.Ravi Kumar.

Counsel for respondents: Mr.V.Rajeswara Rao.

CORAM :

1. The Hon'ble Mr.Justice D.H.Nasir, Vice-Chairman.
2. The Hon'ble Mr.R.Rangarajan, Member (A).

O R D E R

R.Rangarajan, Member (A).

Heard Mr.N.V.Ravi Kumar for the applicant and Mr.V.Rajeswara Rao for the respondents.

2. This is a legal aid case represented by Mr.N.V.Ravi Kumar. The very fact that this is a legal aid case clearly shows that the applicant is penniless on date. Hence, some mercy should be shown to the instant applicant, especially when he has worked continuously as ELR from 18.1.1966 and brought on

temporary status on 10.2.1986, but was declared medically unfit on 24.8.1991 after a total service of 25 years. We feel that some relief is due to be given to the applicant in view of his long service.

3. We have asked the 1d.counsel for the respondents to check whether some relief can be given to the applicant by way of engaging him as casual labour in a location where he can be fitted as per his present medical category of C-1. The respondents, probably without having any sympathetic consideration, rejected the case of the applicant outright, relying only upon the rule position and also informing the Bench that this Bench always follows the rules and adopted the same principle.

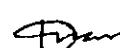
4. We feel such a stand is not called for. The applicant having worked for 25 years and also brought on temporary status on 10.2.1986 some minor benefit should be given to him, keeping in mind his present medical category of C-1 and engaging him appropriately.

5. Accordingly, we direct respondent no.2 to consider and fit the applicant in a location where his medical category of C-1 is sufficient. If in case he cannot be accommodated in the open line, respondent no.2 should take initiative to fit the applicant in the Construction Organisation of the Division.

6. The O.A. is ordered accordingly. No costs.

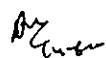


(R. Rangarajan)  
Member (A)



(D.H. Nasir)  
Vice-Chairman

DATED THE 12TH JUNE, 2000  
DICTATED IN OPEN COURT



r.s.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH : HYDERABAD.

COPY TO:

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

1ST AND 2ND COURT

TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

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

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

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

DATE OF ORDER 12/6/00

MA/RA/CP.NO.

IN

CA.NO. 1006 /99

ADMITTED AND INTERIM DIRECTIONS  
ISSUED

ALLOWED

C.P. CLOSED

R.A. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO ORDER AS TO COSTS

(C4 COPY)

