

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH

AT HYDERABAD

OA.1149/99 and

dt.25-4-2000

MA.198/2000 in OA.1149/99

Between

A. Babu Rao

: Applicant
(Respondent in MA)

and

1. Union of India, rep. by
its Secretary, M/o External Affairs
New Delhi 1

2. Regional Passport Officer
414, Adjacent to Prashant Theatre
Kummarguda, Secunderabad 500003

: Respondents
(Applicants in MA)

Counsel for the applicant/Respondent : N.R. Devaraj, Advocate

Counsel for the respondents/Applicants: V. Vinodkumar, CGSC

Coram

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

Hon. Mr. R. Rangarajan, Member (Admn.)

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MA.198/2000 in OA.1149/99
and OA.1149/99

dt.25-4-2000

ORDER

Oral order (per Hon. Mr. R. Rangarajan, Member(Admn))

Heard Mr. N.R. Devaraj for the applicant and Ms. Mala for Mr. V. Vinod Kumar for the respondents.

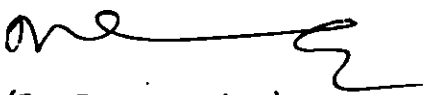
1. This OA is filed praying for calling records pertaining to office order No.Hyd/578/1/95 dated 21-7-99 whereby the temporary status conferred to the applicant by office order No.HYD:578/1/95 dated 6-7-95 (Annex.II) stands cancelled and to set aside the same insofar as the applicant is concerned by declaring that the said order is illegal and to restore him back to his temporary status as casual labour and take immediate steps to absorb him as regular employee with retrospective effect as per directions in OA.1129/93.
2. MA.198/2000 ~~was~~ came up for consideration today. As the OA itself can be disposed of in view of the material available before us the OA was also argued by both the sides.
3. The learned counsel for the applicant produced before us the Establishment order of the Department dated 18-4-2000 whereby the applicant has been appointed against the vacancies of the peon in Passport office, Hyderabad, with effect from 18-4-2000 on terms and conditions stipulated in the Ministry's notification dated 17-12-1994 (Recruitment Rules) in the pay scale of Rs.2550-3200. This order is taken on records.
4. The learned counsel for the applicant submits that in view of order dated 18-4-2000 the applicant has been made regular employee of the Department. In that view he submits that the only point that ~~survives~~ ^{survives for consideration} is to grant him seniority with effect from 17-1-1998 on the basis of the judgement in OA.1129/93.

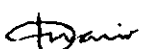
5. A perusal of the letter dated 18-4-2000 clearly indicates that it is only an appointment order. This order does not convey that the ^{it}~~duties mentioned~~ is effective only from 18-4-2000. In any case the respondents can issue a suitable order in connection with the regularisation of the applicant for giving seniority from 17-1-1998 if the applicant submits a detailed representation in this connection to the concerned appropriate authority for granting him seniority with effect from 17-1-1998. The respondents, if such a representation is received, should examine the same and reply suitably by an order. If the applicant is aggrieved by the reply he is at liberty to take such action as appropriate in accordance with law.

6. In view of the above no further order is necessary. Hence, the OA is disposed of with the above observations.

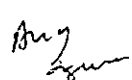
7. Representation of the applicant if received should be disposed of within a period of two months from the date of receipt of copy of this order. No costs.

8. As the OA itself is disposed of. No order is necessary in the MA. MA is disposed of accordingly. No costs.


(R. Rangarajan)
Member (Admn.)


(D.H. Nasir)
Vice Chairman

Dated : 25 April, 2000
Dictated in Open Court



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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH : HYDERABAD.

COPY TO:

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

1ST AND 2ND COURT

TYPED BY : CHECKED BY :
COMPARED 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. B. S. JAI PARAMESHWAR
MEMBER (JUDL.)

DATE OF ORDER

MA/RA/EP.NO.

IN

CA.NO.

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

17 MAY 2000
RECEIVED
APPELL SECTION