

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 457/99

Date of Order : 25.3.99

BETWEEN :

T.Rajavaraprasad

.. Applicant.

AND

1. The Senior Divisional Personal Officer, Vijayawada Division, S.C.Railway, Vijayawada.

2. The Divisional Railway Manager, Vijayawada Division, S.C.Railway, Vijayawada.

.. Respondents.

- - -

Counsel for the Applicant

.. Mr. K.S.Murthy

Counsel for the Respondents

.. Mr. V.Bhimanna

- - -

CORAM :

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

1/3 - -

O R D E R

X As per Hon'ble Shri R.Rangarajan, Member (Admn.) X

- - -

Mr. K.S.Murthy, learned counsel for the applicant and Mr. V.Bhimanna, learned standing counsel for the respondents.





22

.. 2 ..

2. The applicant submits that he was illegally terminated by the order dated 26.9.84 (A-2). Thereafter he was reinstated as a substitute motor driver in the same capacity as before by the order No.B/P.407/JEEP Driver, dated 26.4.86 (A-3). The applicant submits that the period from 11.6.83 to 4.6.84 when he was in sick <sup>list</sup> <sub>^</sub> counted for casual labour service whereas the period from 26.9.84 to 26.4.86 is not counted for the casual service as per the letter of the respondents bearing No.B/P.407/VIII/JEEP Driver, dated 14.3.90 (A-5). The applicant requested for <sup>adding</sup> ~~counting~~ the period from 26.9.84 to 26.4.86 also for counting the casual labour service. It is further stated that in the PNM Meeting held, the minutes are enclosed <sup>at</sup> ~~to~~ page-6 of the OA, it was agreed to correct the position duly taking his initial engagement as 1.12.79. From this minutes he comes to the conclusion that the period from 26.9.84 to 26.4.86 will also be counted as a casual service. However in the impugned seniority list No.B/P.612/III/6/Vol.5 dated 21.9.98 (A-8) the said casual service was not counted. The applicant submitted a representation dated 6.1.99 (A-9) for counting that period also as casual service. It is stated that no reply has been given to him in this connection.

3. This OA is filed for a direction to the respondents to count the period from 26.9.84 to 26.4.86 as casual service.

R

1

4. Though the applicant repeatedly stressed that his termination is illegal, the same cannot be taken note as there is no decision has been given in this connection.

The main relief prayed for in this OA is to count the period when he was away i.e. from 26.9.84 to 26.4.86 as casual service so that he will get extra benefit for fixing his seniority. The applicant has filed the representation on 6.1.99 for getting that relief. That representation is still pending.

5. In view of the facts and circumstances of the case R-2 is directed to dispose of his representation dated 6.1.99 with a speaking order if his case is rejected within a period of 2 months from the date of receipt of a copy of this order in accordance with the law.

6. The OA is disposed of at the admission stage itself. No costs.

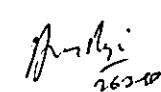
7. Registry should send a copy of this OA along with judgement to R-2.

  
( B.S. JAI PARAMESHWAR )  
Member (Judl.)

25/3/99

Dated : 25th March, 1999  
(Dictated in Open Court )

  
( R. RANGARAJAN )  
Member (Admn.)

  
25/3/99

sd

Copy to:

1. HONM
2. HHRP M(A)
3. HSDP M(J)
4. D.R. (A)
5. SPARE

*13/4/99*  
1ST AND 2ND COURT

TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : HYDERABAD.

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

THE HON'BLE MR. H. RAJENDRA PRASAD:  
MEMBER (A)

THE HON'BLE MR. R. RANGARAJAN :  
MEMBER (A)

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

DATED: 25-3-99

ORDER/ JUDGEMENT

MA./RA./CP. NO. —

IN

C.A. NO. 457 (99)

ADMITTED AND IN TERN DIRECTIONS  
ISSUED.

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/ REJECTED

NO ORDER AS TO COSTS

SRR

*6 S.Y. 6 M*  
*6 C.R. 20 A & R2*

*A10*

केन्द्रीय प्रशासनिक अधिकार बच्चा  
Central Administrative Tribunal  
प्रेषण / DESPATCH

- 9 APR 1999

हैदराबाद प्रायोगी  
HYDERABAD BENCH