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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
HYDERABAD

O.A.No.478 of 1999.

DATE OF ORDER:15-2-2000.

Between:

Suresh Pal.

.....Applicant

A N D

1. The General Manager,
South Central Railway,
Sanchalan Bhavan, Secunderabad.
2. Divisional Rail Manager,
South Central Railway,
Sanchalan Bhavan, Secunderabad.

.....Respondents

COUNSEL FOR THE APPLICANT :: Mr.K.Jai Raj

COUNSEL FOR THE RESPONDENTS:: Mr.K.Siva Reddy

CORAM:

THE HON'BLE SRI JUSTICE D.H.NASIR, VICE CHAIRMAN

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN.)

: O R D E R :

(PER HON'BLE SRI R.RANGARAJAN, MEMBER (A))

Heard Mr.K.Jai Raj, learned Counsel for the
Applicant and Mr.K.Siva Reddy, learned Standing Counsel
for the Respondents.

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2. The applicant in this OA was engaged as a Banglow Peon under one Smt.Usha A.Kumar with effect from 19-9-1996. As Smt. Usha A.Kumar was transferred, his services were terminated by the impugned Order OO.No.188/98, dated 20-11-1998, (Annexure.A.3, page 7 to the OA).

3. This OA is filed to set aside the order of removal from service in respect of the applicant, and for a consequential direction to the respondents to reinstate the applicant by regularising his services.

4. When the OA was taken up for hearing, the learned Counsel for the Applicant brought to our notice a similar OA.No.812 of 1999, disposed of on 6-1-2000. He further submits that this OA is similar to that OA and the Order passed in that OA. may be passed in this OA also. But in Para.5 of that Order in that OA, it is stated that the respondents failed to indicate the serial number of the applicant therein, whose name has been kept in the Live Register and also no time frame was indicated even if the serial number in the Live Register is not indicated. In that view, a direction was given in that OA to re-engage him atleast in a casual post within a period of six months from the date of receipt of a copy of that Judgment.

5. But the position in this OA is likely different. The respondents submit that the applicant's name has been kept at serial no.2 in the Live Register and when his turn comes, he will be appointed after the appointment of the

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first candidate in the Live Register. We feel that submission is fair.

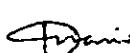
6. Hence, the following direction is given:-

The applicant, who is at serial no.2 in the Live Register maintained by the respondents, should be appointed regularly in a Group-'D' post after the first candidate in the Live Register is appointed. If there is a chance of engaging him as casual labourer even before regularising his services, the same should be considered by the respondents for engaging him in casual post before posting him regularly in a Group-'D' post. It is not necessary that he should be posted only as a Bungalow Peon. He may be posted as a Group-'D' Staff in anywhere in South Central Railway.

7. With the above direction, the OA is disposed of.
No costs.


(R.RANGARAJAN)

MEMBER (ADMN.)


(D.H.NASIR)
VICE CHAIRMAN

DATED: this the 15th day of February, 2000

Dictated in the Open Court

DSN

