

CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

MA/020/963/2016 & MA/743/2017 in OA/020/00972/2011

Date of Order : 01-01-2019

Between :

1. Gottimukkala Narasimha Raju S/o Narayana Raju,
Aged 43 years, R/o D.No.4/F-4, Venkatadri
Apartments, Krishnarajupuram, Vizianagaram-531201
(Applicant No.12)
2. Kummara Gopala Ksrisha S/o Polu,
Aged 43 years, R/o D.No.Ktta Ponnuture
Village, Dimili (BO), Nivagam SO, Kotturu Mandalam,
Srikakulam-532457 (Applicant No.13)
3. Boddepalli Syamala Rao S/o late Appa Rao,
Aged 40 years, R/o D.No.1-129, avallabha Village, Polavaram,
Tekkali, Srikakulam-5332202 (Applicant No.31).
4. Bandi Suresh S/o Appa rao, Aged 38 years,
R/o D.No.53-34-12/1, KRM Colony, Seethammadara,
Visakhapatnam-530013 (Applicant No.32)
5. Petla Ramakrishna S/o Kannababu, Aged 39 years,
R/o D.No.6-17-14, Drivers Colony, Old Gajuwaka,
Visakhapatnam-530026 (Applicant No.34)
6. Mentreddi Nageswara Rao S/o Ramana,
Aged 39 years, R/o D.No.7-21, Akkireddipalem,
Pendurti, Visakhapatnam-531173 (Applicant No.35)
7. Ishad Ali S/o Abdul Rahim, Aged 38 years,
R/o D. No.62-3-105/A, New Ramalayam Street,
Sriharipuram, Visakhapatnam-530011 (Applicant No.37)
8. Ramapatruni Sankar Reddy S/o Damodar Reddy
Aged 38 years, R/o D.No.17-79, Vijayadurga Colony,
Hanumanthavaka,
Visakhapatnam-530040 (Applicant No.40)
9. Illapu Sathibabu S/o Appala Naidu,
Aged 39 years, R/o Pedabodepalli post,
Kapu street, Narsipatnam
Visakhapatnam-531116 (Applicant No.43)
10. Penmatsa Kanaka Raju S/o Venkata Raju,

Aged 39 years, R/o D.No.11-175, Near
Sai Temple, Prahlladapuram,
Visakhapatnam-530027 (Applicant No.44)

11. Andiboyina Paidibabu S/o Demudu,
Aged 38 years, R/o D.No.30-48-4,
Kanithi RHC, Vadlapudi,
Visakhapatnam-530046 (Applicant No.45)
12. Killi Maheswara Rao S/o Chinna Demudu,
Aged 37 years, R/o D.No.7-92/3, Plot No.10,
Prasantinagar, Pendurti, Visakhapatnam-531173
(Applicant No.46)
13. Kaligotla Paradesi S/o Chinnayya, Aged 41 years,
R/o D.No.Lingabhopalapatnam Village, Kamidivaram
Post, Cheedikada, Visakhapatnam-531028 (Applicant No.48)
14. Seerapu Nooka Raju S/o Simhachalam,
Aged 38 years, R/o D.No.28-22/2, Kanithi
RHC, Vadlapudi, Gajuwaka, Visakhapatnam-530046
(Applicant No.50)
15. Aithi Venkata Ramana S/o late Simhachalam,
Aged 40 years, R/o D.No.31-53-85, Yadava Jaggarajupeta,
Pakeertakya, VEPZ, Visakhapatnam-530049
(Applicant No.52)
16. Kandregula Jaganmohana Rao S/o satyanarayana,
Aged 37 years, R/o Thimmarajueta Pot & Village,
Munagapaka, Visakhapatnam-531033 (Applicant No.64)
17. Dasari Narasina Rao S/o Appa Rao,
Aged 38 years, R/o D.No.18-86, Pallinarayanapuram,
Prahlladapuram,
Visakhapatnam-530026 (Applicant No.65)
18. Santhathi Venkata Rao S/o Narasinga Rao,
Aged 37 years, R/o D.No.11-169/A, Near Gosala,
Backside of ZP Guest House, Simhachalam,
Visakhapatnam-530028 (Applicant No.66)
19. Kamireddy Ramu S/o Mutyala Naidu,
Aged 37 years, R/o D.No.8-170/1, Aganampudi,
Padamadaka, Gajuwaka, Visakhapatnam-530026
(Applicant No.67)
20. Nandavarapu Satyanarayana S/o Apparao,
Aged 38 years, R/o D.No.65-1-166A, Srinivasanagar-II,
Coromandal Gate, Malkapuram, Visakhapatnam-530011

(Applicant No.68)

21. Chelluru Govinda Rao S/o Devudu,
Aged 37 years, R/o D.No.31-19-44, Allipuram,
Venkateswara Metta, Visakhapatnam-530011
(Applicant No.69)
22. Chinthala Srinivas S/o Appa Rao, Aged 37 years,
R/o D.No.15-439, Sector-IV, Durgabazar,
Arilova colony, Visakhapatnam-530040
(Applicant No.71)
23. Nalla Simhachalam S/o Satyamnaidu,
Aged 37 years, R/o C/o BV Naidu, BCT Colony,
Haripuram, Rambilli, Visakhapatnam-531061
(Applicant No.37)
24. Uppada Somi Reddy S/o Somulu,
Aged 35 years, R/o D.No.Patapalem Village,
Pedanagamayyapalem Post, bheemunipana,
Visakhapatnam-531162 (Applicant No.78)
25. Pala Srinivasa Rao S/o Rambabu,
Aged 36 years, R/o D.No.10-7-11/1,
Ramnagar, Near RTC Complex,
Visakhapatnam-530002 (Applicant No.79)
26. Ayinada Srinivasa Raju S/o Veersa Raju,
Aged 38 years, R/o D.No.303/304,
Phoolbagh Colony Bit-I, Vizianagaram-535002
(Applicant No.80)
27. Maddi VAraha Srinu Reddy S/o Prasada Reddy,
Aged 36 years, R/o D.No.54-4-3/1, Isakathota, Sivalayam
Street, Visakhapatnam-530022 (Applicant No.82)
28. Inti Gurumurthy S/o Satyam,
Aged 41 years R/o D.No.1-1-136, Indiranagar,
Pedawaltair, Visakhapatnam-530017 (Applicant No.83)
29. Vajrapu Gunnayya Gupta S/o Venkata Rao,
Aged 34 years, R/o D.No.5-2-2, kapu Tunglam, BHPV,
Visakhapatnam-530012 (Applicant No.84)
30. Vempada Ramakrishna S/o Appalanarasayya,
Aged 34 years, R/o D.No.30-1-180, Puthivari Street,
Assamgardens, Visakhapatnam-530020 (Applicant No.85)
31. Madugula Kasubabu S/o Kukunaidu,
Aged 36 years, R/o Seshadri Nagar,

Desapatrunipalem, Paravada, Visakhapatnam-531021
(Applicant No.86)

32. Junjuru Mahesara Rao S/o Ramulu,
Aged 37 years, R/o Veerananarayanam post,
S. Kota, Vizianagaram-535045 (Applicant No.87)
33. Pakalapati Narayana Varma S/o Sambamurthy Raju,
Aged 37 years, R/o D.No.24-79-26, Sanatnagar, kaniti Road,
Gajuwaka, Visakhapatnam-530026 (Applicant No.89)
34. Penki Anil Kumar S/o Chinna Rao, Aged 35 years,
R/o D.No.34-5-74/2, Babu Colony, Gnanapuram,
Visakhapatnam-530004 (Applicant No.90)
35. Srirangam Krishna Prasad S/o late Srinivasa Rao,
Aged 36 years, R/o D.No.59-7-28, Nagarala Street,
Malkapuram, Visakhapatnam-530011 (Applicant No.91)
36. Jakku Tirupati Naidu S/o Dalinaidu, Aged 36 years,
R/o Nedagallu Village & Post, Seethanagaram,
Vizianagaram-535546 (Applicant No.92)
37. Pola Ravi Kumar S/o Krishna Murthy, Aged 35 years,
R/o Plot No.270, D.No.32-392/1,
beside HMT Society kalyanamandapam, Shapurnagar,
IDA, Jeedimetla, Hyderabad-500055 (Applicant No.93).
38. Alamanda Surya Venkaa Ram Prakash Kumar,
S/o Appalaraju, Aged 33 years, R/o D.No.58-13-122,
NAD Kottaroad, Ganeshnagar, Visakhapatnam-530009
(Applicant No.94)
39. Vanumu Kanaka Naga Raju S/o Bhuloka Rao,
Aged 33 years, R/o Visakhapatnam,(Applicant No.95)
40. Ponna Srinivasa Rao S/o Easwara Rao, Aged 35 years,
R/o D.No.63-2-133, Indidra Colony, Sriharipuram,
Malkapuram, Visakhapatnam-530011 (Applicant No.96)
41. Kapu Yelleswari D/o K Viswanadham, Aged 36 years,
R/o D.No.14-28/1, Indiranagar, Gopalapatnam,
Visakhapatnam-530027 (Applicant No.98)
42. Meesala Satyanarayana S/o Appala Naidu,
Aged 35 years, R/o Q.No.639A, Scindia New Colony,
Gandhigram, Visakhapatnam-530005 (Applicant No.99)
43. Inapukola Raghu Ram S/o Ganga Raju,
Aged 35 years, R/o D.No.54-10-40/A, Isakatota,

Visakhapatnam-530022 (Applicant No.100)

44. Samireddi Veera Venkata Satyanarayana
S/o Apparao, Aged 35 years, R/o D. No. Chedalada
Post, Peddapuram, East Godavari-533433
(Applicant No.101)
45. Kandipalli Ananda Babu S/o K Surya Rao,
Aged 35 years, R/o D.No.10-11-37, Ramnagar,
Visakhapatnam-530002 (Applicant No.104)
46. Pavada Srinivasa Rao S/o Ramulu,
Aged 38 years, R/o D.No.1-135, Ambedkar SC Colony,
Thummapala Post & Village, Anakapalli,
Visakhapatnam District (Applicant No.105)
47. Pennada Narasinga Rao S/o Appa Rao, Aged 37 years,
R/o D.No.14-99, Munagapaka Post & Village, SC colony,
Visakhapatnam-531033 (Applicant No.107)
48. Penugonda V Surya Prakasa Rao S/o Gangadharam,
Aged 38 years, R/o D.No.3-6-124, Bojjannakonda,
High School Road, Gajuwaka, Visakhapatnam-530026
(Applicant No.108)
49. Narava Nagabhushanam S/o Demudu, Aged 37 years,
R/o D.No.53-20-19/2, Chaitanya Nagar, Maddilapalem,
Visakhapatnam (Applicant No.109)
50. Kundary Naga Raju S/o Rajanna Dora, Aged 36 years
R/o D.No.7-17, Ssector-01, C/o Juttada Nooka Raju,
Duvvada, Visakhapatnam-530046 (Applicant No.113)
51. Talasi Chandrasekhar S/o Appa Rao, Aged 31 years
R/o D.No.12-35-4/3, Indira Colony, New Gajuwaka,
Visakhapatnam-530026 (Applicant No.115)
52. Neerukonda U.S.Rama Rao S/o manikyalaraao,
Aged 32 years, R/o D.No.18-54, Simhagiriolony,
Saligrampuram, Visakhapatnam-530024
(Applicant No.116)
53. Muddana Satyanarayana S/o Ramaswamy,
Aged 32 years, R/o D.No.5-178, C/o Pulla Nagaraju,
Gopinadhanagar, Sarpavaram, Kakinada-533005
(Applicant No.117)
54. Jonnagadda Suresh Kumar S/o simhachalam,
Aged 34 years, R/o D.No.36-92-381/3,
Jayabharat Nagar, Kancharapalem,

Visakhapatnam-530008 (Applicant No.118)

....Petitioners/Applicants (MA 963/16)

1. Kadavala Ramesh, aged about 37 years,
S/o Krishna Rao, Occ : Fitter, D.No.50-95-2/E,
North Extension, Seethammadhara,
Visakhapatnam-530013.
2. Kosana Rami Reddy, aged about 33 years,
S/o Suttiyya, Occ : Fitter, D.No.Chippada Post
& Village, Bheemunipatnam,
Visakhapatnam-531163.
3. Tajuddin Baba, aged about 37 years,
S/o Abdul Subhan, Occ : Fitter,
D.No.9-9-47/2, Mangapuram Colony,
Near Tara Mosque, Visakhapatnam-530017.
4. Boya Pavan Kumar, aged about 38 years,
S/o Ramanaidu, D.No: 21-101, Kakani Nagar,
Visakhapatnam-530009.
(Applicants No 62,102, 53 & 59 in OA 972/11)

....Petitioners (in MA 743/17)

AND

1. Union of India,
Rep by its Secretary, Ministry of Defence,
South Block, New Delhi-110 011.
2. Chief of Naval Staff,
Integrated Headquarters of Ministry of Defence (Navy),
New Delhi 110011.
3. The Flag Officer, Commanding-in-Chief,
Headquarters Eastern Naval Command,
Visakhapatnam-14.
4. Admiral Superintendent, Naval Dockyard,
Visakhapatnam-14.

...Respondents (in both OAs)

Counsel for the Applicant: Dr. P. B. Vijay Kumar (MA 963/16)

Mr.T.KoteswaraRao (MA 743/17)

Counsel for the Respondents : Mrs. K. Rajitha, Sr. CGSC

CORAM :

THE HON'BLE MR.JUSTICE L.NARASIMHA REDDY, CHAIRMAN
THE HON'BLE MR.B.V.SUDHAKAR, ADMINISTRATIVE MEMBER

(Oral Order per Hon'ble Mr.Justice L.Narasimha Reddy, Chairman)

The petitioners in this Miscellaneous Applications filed Original Application No.862/2011 and batch cases seeking the relief with regard to their absorption in the Naval Dock Yard. All of them have been trained as Apprentices in the Naval Apprentice School. Reliance was placed upon the scheme contained in SRO No.150/2000 and other relevant documents.

2. The individual OAs were disposed of by issuing direction to the Respondents to consider the cases of the respective petitioners for absorption in case he is otherwise eligible, without any age restriction in the existing or future vacancies. The orders were passed on different dates in the year 2013. These Miscellaneous Applications are filed alleging that the Respondents are not implementing the directions passed by this Tribunal.

3. Respondents filed individual replies in the Contempt Petitions. They state that subsequent to the orders passed in batch of the Original Applications, the Tribunal passed orders in various other matters indicating the method of filling up of the posts by the Apprentices. It is stated that the vacancies for respective years were notified and the candidates were taken up depending upon their seniority and in accordance with the other

parameters. The individual orders dated 13.03.2018 communicated to the applicants are also made part of the record. Some of the petitioners also filed Rejoinders.

4. We heard Dr. P. B. Vijay Kumar and Mrs. Anita Swain, learned counsel for the applicants.

5. The direction issued in respect of the Contempt Petitioner is to the effect that their cases be considered for absorption without referring to any age limit, against the existing or future vacancies. This was subject to their holding other stipulated qualifications. The case of the Respondents is that in compliance with the direction issued in other Original Applications, the vacancies that were referable to the period up to the year 2012 were filled in accordance with the procedure stipulated in SRO 150 and the remaining vacancies were filled in accordance with the extant procedure. So far as the case of the applicants is concerned, it is stated that they were also considered against the relevant vacancies and on account of their low place in the seniority, they were not appointed. Reference is made to an order dated 21.11.2012 in OA No.318/2010 and the consequential order of appointment was issued on 17.12.2015 to the applicant.

6. We perused the order in OA No.318/2010 carefully. It is evident that the service particulars of the applicant therein were taken note and a specific direction was issued to consider his case against an OBC vacancy. On finding that vacancy of that nature was available, he was absorbed. The facts of the case on hand are substantially different. Except that a general

direction was issued, no specific exercise was required to be undertaken.

7. In case the applicants are of the view that any person who is junior to them in the seniority list was absorbed even while leaving them aside, a representation to that effect can be made. There is no reason to believe that the Respondents will not look into such representations. As of now, we do not find that the Respondents did not consider the specific directions. If any representations are made, they shall be disposed of preferably within a period of three months from the date of receipt of the same.

8. The Miscellaneous Applications are accordingly closed. There shall be no order as to costs.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(JUSTICE L.NARASIMHA REDDY)
CHAIRMAN

Dated : 1st January, 2019.
Dictated in Open Court.

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