

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/465/2014

HYDERABAD, this the 20th day of January, 2020

**Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member**

M. Malliah, S/o. Late M. Lingaiah,
Aged about 38 years, Occ: Safaiwala,
O/o. Wireless Monitoring Organization,
Department of Telecommunications,
No.302, 3rd floor, TEC Building,
Cherlapally, Hyderabad - 51.

... Applicant

(By Sri M. Mallaiah, Party-in-Person)

Vs

1. The Union of India rep. by its
Secretary,
Dept. of Telecommunications,
20, Ashoka Road,
New Delhi - 110 001.
2. The Director (WM),
Wireless Monitoring Organization,
Dept. of Telecommunications,
3rd floor, E-Wing, Pushpa Bhavan,
Madangiri Marg,
New Delhi - 110 062.
3. The Chief General Manager, Telecom,
A.P. Circle, BSNL, Door Sanchar Bhavan,
Nampally Station Road,
Abids, Hyderabad - 1.
4. The Office-in-Charge,
Wireless Monitoring Station,
No.302, 3rd floor, TEC Building,
Cherlapally, Hyderabad - 51.

... Respondents

(By advocate: Mrs. K. Rajitha, Sr. CGSC
Mr. M.C. Jacob, SC for BSNL)



O R D E R (ORAL)

Hon'ble Mr. Ashish Kalia, Judl. Member



The present Original Application is filed u/Section 19 of Administrative Tribunals Act, 1985 with the following prayer:

.... to call for the records pertaining to the 4th respondent Memo No.A-39011/1/2008-HYD/75 dated 27.1.2014 illegally terminating the services of the applicant in the name of acting in terms of the orders of this Tribunal in OA No.1585/2013 dated 31.12.2013 and on the sole of ground of the applicant approaching this Tribunal by filing original application for regular appointment as a part time Safaiwala in the respondent's organization and quash and set aside the same as illegal, arbitrary, malafide, vindictive, violative of Article 14 and 16 of the Constitution of India and rules on the subject matter and consequently direct the respondents to reinstate the applicant into service and fill the post of Safaiwala on regular basis with all consequential benefits in the interest of justice.ö

2. The brief facts of the case are that the mother of the applicant late M. Venkamma was initially appointed as Part Time Safaiwala in the year 1973 and worked as such up to March, 2004. In March, 2004 the applicant was given appointment as Part Time Safaiwala in the place of his mother. While working as such, he filed OA No.1585/2013 against the inaction on the part of the respondents in not considering his case for regular appointment, though he has been continuously working from 10.03.2004 without any break. The said O.A. was disposed of on 31.12.2013 with a direction to the respondents to dispose of the representation of the applicant dated 10.10.2013 with a reasoned order as per rules within four weeks. It is contended by the applicant that instead of considering the case of the applicant for regularisation, the 4th respondent issued orders vide Memo No.A-39011/1/2008-HYD/75 dated 27.01.2014, terminating the services of the applicant by stating that due to financial and administrative constraints, the

office is not in a position, at present, to offer him employment either on temporary basis or on permanent basis as Safaiwala. Hence, this O.A.

3. Reply statement has been filed on behalf of the Respondents No.1, 2 & 4.

It is submitted that as per the order of the Tribunal in OA No.1585/2013, the respondents considered the request made by the applicant in his representation dated 10.10.2013 and issued proceedings vide Memo dated 27.01.2014. It is further submitted that the services of the applicant as Part Time Safaiwala have not been terminated by the respondents. However, he himself is not attending to his duties since 3.1.2014.

4. There is no representation on behalf of the applicant. Heard Smt. K. Rajitha, learned Senior Standing Counsel appearing for DoT and Sri M.C. Jacob, learned Standing Counsel appearing for BSNL.

5. In the circumstances, the applicant may make a detailed representation to the respondents, who may dispose of the same, within 60 days from the date of receipt of the representation. If any grievance still subsists, the applicant may approach this Tribunal once again.

6. With the above observation, the Original Application is disposed of. No order as to costs.

**(B.V. SUDHAKAR)
ADMN. MEMBER**

**(ASHISH KALIA)
JUDL. MEMBER**

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