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O.A.No. 349/1998.

ORDER DATED 14-5-2002.

Applicant claims to have been engaged as Mazdoor, Security Guard etc. on casual basis under the Respondent No.3 since 1992. He has placed on record a series of documents to show that he was really engaged under the Telecom Department/Respondents.

In the counter, large number of those documents have been disputed and yet, two documents under Annexure-7 series have been admitted to show that the Applicant was engaged on daily wage basis casually to discharge few manual jobs like transportation of Telephone Polls etc. In the present Original Application, the Applicant has prayed for a direction to the Respondents to regularise him in the regular establishment of the Telephone Department/under the Respondents.

Without going into the merits of this case, this Original Application is disposed-of, after hearing learned counsel for the Applicant and Mr.U.B. Mohapatra, learned ASC for the Respondents, with a direction to the Respondents to entrust the matter to a responsible officer of the Department to cause an enquiry/scrutinise the papers/take evidence from persons to find out as to whether the Applicant was really serving the Department as a casual mazdoor/Security Guard etc. for the required period of service/240 days in any calendar year enabling him to be conferred with Temporary Status/to be taken to regular establishment.

In the alternative, the Respondents/Authorities should consider the case of the Applicant by taking into consideration his

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experience in doing the job of the Telecom Department and, on the face of such experience, he can be taken to regular establishment/given temporary status. The whole exercise should be completed within a period of 120 days from the date of receipt of a copy of this order.

It is submitted by the learned counsel for the Applicant that the applicant is presently continuing to serve the Department as casual mazdoor and, if that is so, it is hereby ordered that ~~of this~~ he should not be disengaged and he should be given casual employment as is being given to him.

In the result, therefore, this Original Application is disposed-of in the aforesated terms. No costs.

Manoranjan Mohanty
(MANORANJAN MOHANTY) 14.05.2002
MEMBER (JUDICIAL)

Free copies of final
order dt. 14.5.2002
issued to counsel
for both sides.

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