

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A. NO.511 OF 1999.

Wednesday this the 15th day of December 1999.

CORAM:

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

Jayadhara Kumar J.C.
Jayabhavan, Alampatta,
Perumpazhuthoor P.O.,
Neyyattinkara.

Applicant

(By Advocate Shri S. Sasidharan Chempazhanthiyil)

Vs.

1. General Manager, Telecom District,
Thiruvananthapuram.

2. Chief General Manager, Kerala
Telecom Circle,
Thiruvananthapuram.

Respondents

(By Advocate Shri S.K. Balachandran, ACGSC)

The application having been heard on 15th December 1999,
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

The applicant seeks to quash A10, to declare that he is entitled to be included in the panel of casual mazdoors to be maintained by the first respondent and to direct the first respondent to engage him for work in preference to those who had not worked prior to 7.6.1998.

2. The applicant says that he was working as a Casual Mazdoor from 1984 to 1986 on several days. The Telecom District Manager, Trivandrum invited applications from Casual Mazdoors for re-engagement who had been engaged prior to 1985. The applicant sent an application on 10.10.88 pursuant to the said invitation. The first respondent again invited applications by open notification from casual

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mazdoors to be received on or before 30.4.1995. The applicant applied on 15.4.95 in the prescribed form to the first respondent. He has not kept a copy of the same.

3. In the reply statement the respondents have inter alia contended that the application dated 15.4.95 said to have been sent to the departmental authorities does not appear to have been received and that there is no proof of postal registration particulars as per the O.A to show that the applicant has preferred the application in response to the newspaper publication.

4. The question for consideration of the reliefs sought by the applicant arises only if he has applied in pursuance to the notification issued by the respondents. The applicant says that he has applied on 15.4.95. It is the admitted case of the applicant that he has not retained a copy of the same. That apart he has no document also to prove that such an application was submitted to the authority concerned. In the absence of the basic requirement, the applicant is to lose his case.

5. Accordingly, O.A. is dismissed. No costs.

Dated the 15th December 1999.



A.M. SIVADAS
JUDICIAL MEMBER

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List of Annexures referred to in the Order:

A-10: True copy of the order No.1605/98 dated 26.2.99 issued by the 1st respondent.