

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 62/93 199

DATE OF DECISION 15-1-1993

KK Santhosh _____ Applicant (s)

M/s MR Rajendran Nair _____ Advocate for the Applicant (s)

Versus
Sub Divisional Officer
Telegraphs, Alathur and _____ Respondent (s)
another

Mr Mathew Vadakkel, ACGSC _____ Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. N Dharmadan, Judicial Member
and

The Hon'ble Mr. R Rangarajan, Administrative Member

1. Whether Reporters of local papers may be allowed to see the Judgement ? *Ans*
2. To be referred to the Reporter or not ? *Ans*
3. Whether their Lordships wish to see the fair copy of the Judgement ? *Ans*
4. To be circulated to all Benches of the Tribunal ? *Ans*

JUDGEMENT

Shri N Dharmadan, J.M

The applicant is aggrieved by the refusal of respondents to re-engage him taking into consideration his prior service in that department. He further submitted that his representation filed in this behalf has not been disposed of by the respondents due to the fact that he did not furnish necessary materials to enable them to consider his claim.

2 According to the applicant, he commenced service under Respondent-1 as casual mazdeer from 17.7.89 and worked upto 6.8.90. Thereafter, he was given work only as and when work/available. Since he was not given continuous work alongwith his juniors, he filed a representation on 11.2.91 at Annexure-I requesting that he may be re-engaged for regular work available in the department. The

Sub Divisional Officer, Telegraphs requested the applicant to file supporting materials to sustain his case regarding prior engagements. Accordingly, he submitted a representation dated 25.7.91 at Annexure-III indicating the requisite details about his prior service but in spite of receiving his representations and available materials, the respondents have not disposed of the representation. He has thus filed this application under Section 19 of the Administrative Tribunals Act of 1985.

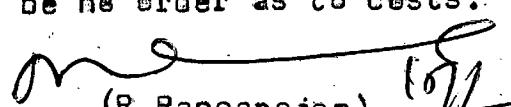
3 At the time when the case came up for admission, learned counsel for the applicant submitted that this case can be disposed of directing Respondent-1 to consider his case in the light of Annexure-IV judgment rendered by this Tribunal in QA 695/91.

4 Learned counsel for the respondents who received a copy of the application submitted that there is no objection in adopting the course suggested by the applicant's counsel.

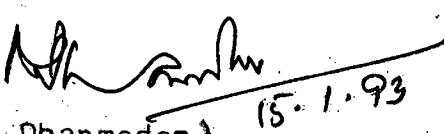
5 Accordingly, having heard the counsel of both sides we are of the view that justice would be met in this case if we direct Respondent-1 to consider and dispose of Annexure-I and Annexure-III representations in accordance with law, bearing in mind the decisions of this Tribunal.

We do so after admitting the application. This shall be done within a period of three months from the date of receipt of a copy of this judgment.

6 The application is disposed of as above. There will be no order as to costs.


(R. Rangarajan)
Administrative Member

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(N. Dharmadan)
Judicial Member

15-1-93