

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

DATE OF DECISION: 18-1-1991

PRESENT

Hon'ble Shri SP Mukerji, Vice Chairman

&

Hon'ble Shri AV Haridasan, Judicial Member

Original Applications No.1197, 1205, 1223,
1231 & 1234 of 1990 and
Original Application No.9 of 1991

OA-1197/90

S Ajayakumar

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Applicant

V.

1. The Sub Divisional Officer,
Telegraphs, Alappuzha.
2. The Telecom District Engineer,
Alappuzha.
3. Union of India,
represented by Secretary
to Government,
Ministry of Communications,
New Delhi.

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Respondents

Mr MR Rajendran Nair

-

Counsel for the applicant

Mr NN Sugunapalan, SCGSC

-

Counsel for the respondents

OA-1205/90

N Reghunathan

-

Applicant

V.

1. The Sub Divisional Officer,
Telegraphs, Alappuzha.
2. The Sub Divisional Officer,
Telegraphs, Mavelikkara.
3. The Divisional Engineer,
Telegraphs, Alappuzha.
4. Union of India,
represented by Secretary to
Government,
Ministry of Communications,
New Delhi.

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Respondents

Mr MR Rajendran Nair

-

Counsel for the applicant

Mr P. Sankarankutty Nair, ACGSC

-

Counsel for the respondents

DA-1223/90

C Muralee - Applicant

V.

1. The Sub Divisional Officer,
Telegraphs, Kayamkulam.
2. The Divisional Engineer,
Telegraphs, Alappuzha.
3. Union of India
represented by Secretary to
Government,
Ministry of Communications,
New Delhi.

- Respondents

Mr MR Rajendran Nair

- Counsel for the applicant

Mr V Ajith Narayanan, ACGSC

- Counsel for the respondents

DA-1231/90

PV Sundaran

K Santhosh

- Applicants

V.

1. The Sub Divisional Officer,
Telegraphs, Alathur.
2. The Divisional Engineer,
Telecommunications,
Palakkad.
3. Union of India,
represented by Secretary to
Government,
Ministry of Communications,
New Delhi.

- Respondents

Mr MR Rajendran Nair

- Counsel for the applicants

Mr Mathews J Nedumpara, ACGSC

- Counsel for the respondents

DA-1234/90

N Surendran

- Applicant

V.

1. The Divisional Engineer,
Telegraphs, Palakkad.
2. The Sub Divisional Officer,
Telegraphs, Alathur.
3. Union of India,
represented by Secretary to
Government,
Ministry of Communications,
New Delhi.

- Respondents

Mr MR Rajendran Nair - Counsel for the applicant
Mr Mathews J Nedumpara, ACGSC - Counsel for the respondents
DA-9/91
Xavier K Joseph - Applicant

V.

1. The Sub Divisional Officer,
Telegraphs, Perumbavoor.
2. Divisional Engineer,
Telegraphs, Ernakulam.
3. Union of India,
represented by Secretary to
Government,
Ministry of Communications,
New Delhi. - Respondents

Mr MR Rajendran Nair - Counsel for the applicant
Mr Mathews J Nedumpara, ACGSC - Counsel for the respondents

J_U_D_G_E_M_E_N_T

(Mr SP Mukerji, Vice Chairman)

Since common questions of law, facts and reliefs are involved in the aforesaid six cases, they are being disposed of by a common order as follows.

2. The applicants in these cases are stated to be casual mazdoors who had been working in that capacity under various Sub Divisional Officers of the Telecommunication Department years ago. They have now prayed that on the basis of their past service, the respondents should consider them for granting casual employment even with bottom seniority and for regularisation, in accordance with law.

3. We have heard the learned counsel for the parties and gone through the documents carefully. The learned counsel for the respondents fairly indicated that in absence of

supporting documents especially of the previous employment of some of the applicants some of which might have been weeded out, it will not be possible to take any decision about their re-engagement immediately. We appreciate this argument and feel that if it is difficult for the respondents to take a decision about re-engagement, it will be doubly so in the case of the Tribunal to give any direction at this stage regarding the reliefs claimed by the applicants. However, in order to avoid any further delay, we, in the interest of justice dispose of these applications with the following direction:

The applicants, if so advised, should individually file fresh representations to the concerned respondents within a period of two weeks from today, enclosing therewith all supporting documents to substantiate their claim of previous employment. They should also if necessary enclose copies or abstracts of relevant judicial pronouncement by this Tribunal or any other Court in support of the reliefs claimed by them. The respondents are directed to dispose of the representations so filed within a period of two months from the date of receipt, in accordance with law and after verifying the factual position indicated in the representations. Considering, however, the fact that the applicants belong to one of the weakest sections of the employees, we hope that the respondents will make every effort to discover and/or utilise the supporting documents in their possession if the same are not available with the applicants.

4. The applications are disposed of on the above lines.

There will be no order as to costs.


(AV HARIDASAN)
JUDICIAL MEMBER


(SP MUKERJI)
VICE CHAIRMAN

18-1-1991

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