

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM

O. A. No.
~~KXXXXXX~~

98/90

~~xxx~~

DATE OF DECISION 24.8.90

K.M. JOSEPH

Applicant (s)

Mr. MR RAJENDRAN NAIR

Advocate for the Applicant (s)

Versus

SUB DIVNL. OFFICER

Respondent (s)

TELEGRAPHS ALLEPEY AND OTHERS

Mr.V.KRISHNA KUMAR, ACGSC

Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. S.P.Mukerji, Vice Chairman

The Hon'ble Mr. A.V.Haridasan, Judicial Member

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

JUDGEMENT

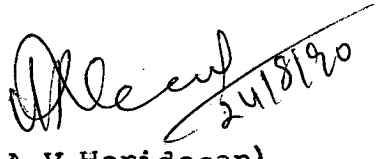
(Hon'ble Shri A.V.Haridasan, Judicial Member)

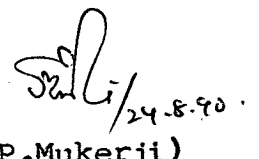
The applicant a Casual Mazdoor working under the Sub Divisional Officer, Telegraphs, Cherthala had filed O.A.202/89 complaining wrongful termination. That application was disposed of with a direction to the respondents to dispose of the representation of the applicant and to absorb him in one of the vacancies of Casual Mazdoors, if there was no legal bar and to consider his claim for the arrears of salary or other benefits due to him in this behalf. Since the applicant was not reengaged pursuant to this direction in the order, the applicant filed

M.P.3/90 for enforcement of the order in O.A.202/89. That M.P. was disposed of by this Tribunal directing the respondents to include the name of the applicant as the last Casual Mazdoor in the list so as to enable him to get casual employment whenever work is available, in accordance with his seniority in the list. Pursuant to this direction the learned counsel for the respondents submitted that the applicant has been reengaged with effect from 18.5.90 as a Casual Mazdoor in the Cherthala Sub Division. The present application was filed in the meanwhile by the applicant praying for cancellation of the order of rejection of his claim for reinstatement with backwages and for a declaration that the removal of the applicant from service was illegal ^{for} and consequential reliefs.

2. In view of the submission made by the learned counsel for the respondents that the applicant has been reengaged in Cherthala Sub Division, the learned counsel for the applicant submitted that the grievance of the applicant would be satisfied if the respondents are directed to dispose of the claim of the applicant which will be made in a representation to be submitted to them for backwages, in accordance with law. The learned counsel for the respondents has no objection in adopting that course. Hence we dispose of this application with ^{the} direction to the

applicant to make a representation detailing his grievances before the second respondent within a period of two weeks from the date of communication of this order with tha further _n direction to the second respondent to consider this representation and ^{to} dispose of the same in accordance with law within a period of two months from the receipt of the representation. There is no order as to costs.


(A.V. Haridasan)
Judicial Member


(S.P. Mukerji)
Vice Chairman

24.8.90

Ksn.