

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 100 of 1993.

DATE OF DECISION 11-02-1993

P.K.Balasubramanian Applicant (s)

M/s M. R. Rajendran Nair, PV Asha Advocate for the Applicant (s)
and CM Nazar

Versus

Telecom District Manager Respondent (s)
Palakkad and another

Mr. Tomy Sebastian, ACGSC Advocate for the Respondent (s)
through Mr. Santhosh proxy counsel

CORAM :

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

and

The Hon'ble Mr. R.Rangarajan, Administrative Member

1. Whether Reporters of local papers may be allowed to see the Judgement ? *Yes*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. To be circulated to all Benches of the Tribunal? *No*

JUDGEMENT

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

The applicant who was an approved casual Mazdoor and was absent since 1985 even as per the averments in the application made a representation to the Ist respondent on 1.9.92 for re-engagement (Annexure-IV) condoning the absence as the absence was owing to continued illness. In response to this representation he received Annexure-V communication dated 28.11.92 informing him that the matter was being looked into and that a reply would be given to him later. Finding no further reply the applicant has filed this application on 6th January, 1993 under Section 19 of the Administrative

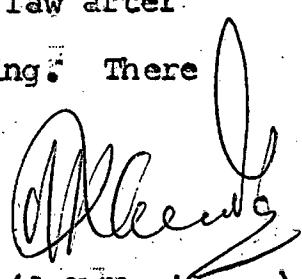
Tribunals Act for a declaration that he is entitled to be re-engaged as a casual mazdoor and for a direction to the respondents to re-engage him.

2. Since the first respondent had informed the applicant that the matter was being looked into we felt that it would be appropriate if the respondents themselves are directed to take a decision in the matter in accordance with law. The learned counsel on either side also agreed that it would be appropriate if the respondents are directed to dispose of the representation at Annexure-IV.

3. In view of the above submission by the learned counsel at the Bar, we admit the application and dispose it off directing the first respondent to dispose of the representation made by the applicant at Annexure-IV within a period of two months from the date of communication of a copy of this order, in accordance with law after giving the applicant a personal hearing. There is no order as to costs.

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(R. Rangarajan)
Administrative Member


(A.V. Haridasan)
Judicial Member

11th February, 1993

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