

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 115 of 1993.

DATE OF DECISION 22-3-1993

G Sunil Kumar Applicant (s)

Mr MR Rajendran Nair Advocate for the Applicant (s)

Versus  
Telecom District Manager  
Kottayam Respondent (s)

Mr MA Manhu, 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? 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

Shri N Dharmadan, J.M

The applicant in this case alleges that he worked as a casual mazdoor in Kottayam Secondary Switching Area and his representation filed for getting re-engagement on the basis of his prior <sup>service</sup> was rejected by the respondent by his order dated 26.11.92 at Annexure-I. Aggrieved by this, the applicant approached this Tribunal by filing this application under Section 19 of the Administrative Tribunals Act of 1985.

2 Learned counsel for the applicant submitted that some of the important questions based on this Tribunal's earlier judgment have not been adverted to by the Divisional Engineer (ADMN), Kottayam who passed the impugned order and thus the

applicant should be given a further opportunity to file a detailed representation before the higher authority, viz; Chief General Manager, Telecom, Trivandrum. He further submitted that in order to file a detailed representation, the applicant may be <sup>allowed to</sup> ~~directed~~ to withdraw this application preserving the right to make another representation as above.

3 Having heard the counsel, <sup>on 6/11/93</sup> we are of the view that in the interest of justice, the prayer can be allowed. Accordingly, we dismiss the application as withdrawn preserving the right of the applicant to pursue the matter before the Chief General Manager, Telecom, Trivandrum by filing a representation in the matter.

4 There will be no order as to costs.

  
(R Rangarajan)  
Administrative Member

  
(N Dharmadan)  
Judicial Member

22.3.93

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