

17.12.1987

CENTRAL ADMINISTRATIVE TRIBUNAL  
MADRAS BENCH

O.A. 125/87

Ramachandran P. N.

Applicant

Vs.

1. The General Manager,  
Telecommunications,  
Kerala Circle, Trivandrum

I

I

2. The Divisional Engineer,  
Telegraphs, Thodupuzha

I

Respondents

3. The Sub-Divisional Officer,  
Telegraphs, Muvattupuzha

I

Mr. S. Sreekumar

Counsel for the  
applicant

Mr. K. Narayanakurup, ACGSC

Counsel for the  
respondents

CORAM:

Hon'ble Shri S. P. Mukerji,  
Administrative Member

&

Hon'ble Shri G. Sreedharan Nair,  
Judicial Member

(Order pronounced by Hon'ble Shri G. Sreedharan Nair,  
Judicial Member on 17.12.1987)

ORDER

~~The applicant and counsel not present. Heard~~  
*on either side*  
~~counsel of the respondents.~~

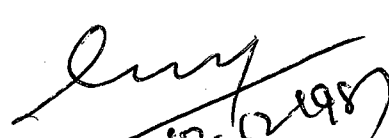
2. The relief that is claimed in this application by a casual mazdoor in the P & T Department is to consider him as a selected candidate for the permanent post pursuant to the letter dated 16.7.1986, copy of which is at Annexure A-8.

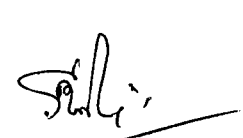
3. The applicant has also prayed for a direction to the respondents to reinstate him. This relief has been claimed on the averment that after 29.9.1985, his service is not being utilised by the respondents and that there is a proposal to terminate his service.

4. In the reply filed on behalf of the respondents it is stated that the service of the applicant as casual mazdoor has never been terminated and that the applicant is entitled to work and wages as in the case of approved casual mazdoors when work is available.

5. In the letter at Annexure A-8, on the strength of which the applicant claims a permanent post, there is no offer of appointment to a permanent post. What has been offered there is only engagement as a casual mazdoor in case the applicant is prepared to accept the work that is assigned to him. The respondents stand by the offer even now. It is submitted by the counsel of the respondents that in case the applicant reports for duty and if work is available, he will be engaged as casual mazdoor. As there has not been any termination, as such, no question of reinstatement as prayed for by the applicant *arises*.

6. It follows that the applicant is not entitled to the reliefs as claimed in the application. Hence, we dismiss the application with the *direction* ~~observation~~ that in case the applicant reports for duty as directed in the letter dated 16.7.1986 issued by the General Manager, Telecommunications, Kerala Circle, engagement shall be given to him.

  
(G. Sreedharan Nair)  
Judicial Member  
17.12.1987

  
(S. P. Mukerji)  
Administrative Member  
17.12.1987

Index: ~~Yes~~/No

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