

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM

O.A. No. 13
T.A. No.

199 1

DATE OF DECISION 21.2.91

B. Arvindakshan Pillai & Applicant (s)

V. Sadasivan Pillai

Mr. M.R. Rajendran Nair Advocate for the Applicant (s)

Versus

The Sub Divisional Officer, Respondent (s)
Telegraphs, Kayamkulam & another

Mr. N. N. Sugunapalan, SCGSC Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. S. P. MUKERJI, VICE CHAIRMAN

The Hon'ble Mr. N. DHARMADAN, JUDICIAL 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

MR. N. DHARMADAN, JUDICIAL MEMBER

The applicants approached this Tribunal with the grievance that the respondents are not engaging them as Casual Mazdoor eventhough work is available. They submitted that they have been engaged by the respondents occasionally till 1987 when work was available.

Thereafter the respondents refused to give them work at the same time the persons who are juniors to the applicants are being given engagement.

2. We have considered similar cases in O.A. 201/89 O.A. 747/89 and connected cases and disposed of with the direction that the applicants therein may be given employment along with their juniors as and when work is available with the respondents.

3. We have heard the learned counsel for the respondents also who submitted that details regarding the engagement of the applicants are not available and the Department is finding it difficult to engage the applicants without sufficient details.

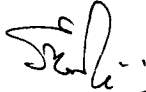
4. The applicants have not furnished necessary details regarding the previous engagements in this application. Accordingly, we feel ^{it is} proper to dispose of the application directing the applicants to file detailed representation with all materials and available documents to satisfy the respondents about their previous engagement and the seniority of the applicants for being engaged along with the juniors as alleged in this application.

5. We direct the applicant to file a detailed representation stating their service particulars as Casual Mazdoor under the first respondent with all relevant records, within two weeks from the date of receipt of a copy of this judgment. If the applicants file a representation as directed above, the first respondent shall consider and dispose of the same taking into consideration our observation in similar cases such as O.A. 202/89, O.A. 747/89 and connected cases. The respondents shall dispose of the representation as early as possible at any rate within a period of two months from the date of receipt of the representation from the applicants.

6. The application is disposed of without any order as to costs.


(N. DHARMADAN)
JUDICIAL MEMBER

21.2.91


(S. P. MUKERJI)
VICE CHAIRMAN