

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM

O. A. No. 14
T. A. No.

199 1

DATE OF DECISION 21.2.91

Sivanandan Applicant (s)

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

Versus

The Sub Divisional Officer, Respondent (s)
Telegraphs, Mavelikara & others

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 grievance of the applicant in this case is that he is not ~~being~~ given engagement by the respondents after his previous engagement in 1982. According to the applicant he commenced service under the first respondent as casual mazdoor on 1.2.1982. He continued his engagement for some time in that year. He has also mentioned about the Engagement Card given by the first respondent in connection with the work. Subsequently, he was given work on bill basis till 1987 whenever work was available with the respondents. It is submitted that, thereafter he has not been given work inspite of of the fact that work is available with the first respondent. He also submitted that his juniors having lesser number of days ^{service} have been engaged even now without considering the claim of the applicant.

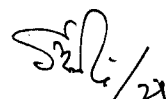
2. Though the respondents have not filed any counter-affidavit the learned counsel for the respondents submitted that the applicant was originally engaged for some time but according to the respondents he abanded the work and hence it will be difficult for them to given engagement without getting sufficient details about previous engagement of the applicant.

3. In the circumstances of the case, we are of the view that interest of justice will be met in this case if the application is disposed of with a direction to the applicant to submit a detailed representation with all relevant records available with him to establish his seniority in the matter of engagement under the first respondent and also his prior engagement ~~from~~ 1982 to 1987. Accordingly we decided to dispose of this application with the following direction.

4. The applicant may if so advised file a representation with all the details regarding his engagement under the first respondent, within a period of two weeks from the date of receipt of a copy of this judgment. If such a representatin is filed before the first respondent, he shall dispose of the same taking into consideration the observations made by us in the earlier similar cases O.A. 202/89 and O.A. 747/89 and connected cases. This shall be done by the respondents within three months from the date of receipt of the representation, as directed above.


21.2.91

(N. DHARMADAN)
JUDICIAL MEMBER


21.2.91

(S.P. MUKERJI)
VICE CHAIRMAN