

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM

O.A. No. 166 of 1991
T.A. No.

DATE OF DECISION 31-1-1991

CK Lakshmiikutty Applicant (s)

Mr MR Rajendran Nair Advocate for the Applicant (s)

Versus

The Assistant Engineer, Respondent (s)
Trunks and Carrier, Alleppey & another

Mr NN Sugunapalan, SCGSC Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. SP Mukerji, Vice Chairman

&

The Hon'ble Mr. AV Haridasan, 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*

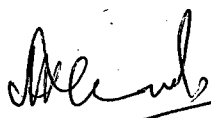
JUDGEMENT

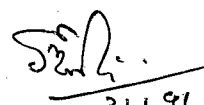
(Mr AV Haridasan, Judicial Member)

Heard the learned counsel for the parties.

The applicant ~~was~~ was engaged as casual labourer on a daily rated wages for ~~xxxxxxx~~ 27 days from 25.12.1977 to 7.5.1979 in the office of the first respondent, as a woman attendant on a daily wages of Rs.8/- per day. Thereafter as the regular incumbent to that post resumed duty, she was not engaged. Now coming to know that the regular incumbent in that post has since vacated the post the applicant made Annexure-II representation to the respondents claiming re-engagement, pointing out the availability of work in Microwave and also in the new Telephone Exchange. Though this representation was submitted ^{only} as recently as on 15.1.1991, the applicant has approached this Tribunal with a prayer for a declaration that she continues to be a casual

labourer and that she is entitled to work and wages subject to availability of work. Since the applicant after her last engagement in 1979 did not approach any legal forum for all these years and since she has made a representation only on 15.1.1991, we feel that normally we may not be justified in interfering in this matter at this juncture. The learned counsel for the applicant submitted that in case the applicant is to wait for a period of six months, there is a chance of the work being given to other persons and therefore the object of her claim being defeated and that for that reason, he prays that the matter may be admitted and disposed of on merits. Since the representation submitted by the applicant is pending, we are of the view that the interest of justice will be met if the application is disposed of with a direction to the respondents to dispose of the same within a reasonable time, in accordance with law. Hence, we admit the application and dispose of the same with the direction to the respondents to dispose of the Annexure-II representation made by the applicant on 15.1.1991, in accordance with law and the instructions and relevant rulings on the subject, within a period of one month from the date of communication of this order. There is no order as to costs.


31.1.91
(A.V. HARIDASAN)
JUDICIAL MEMBER


31.1.91
(S.P. MUKERJI)
VICE CHAIRMAN

31.1.1991