

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No. 195/1997

Wednesday this the 5th day of February, 1997.

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

M.K.Chandran,
Mallakkara House, Pilicode PO,
Kasargod District. ... Applicant

(By Advocate Mr. MR Rajendran Nair (rep.)

Vs.

1. The General Manager, Telecom,
Kannur.
2. Union of India, represented by
Secretary to Government of India,
Telecommunication Department,
New Delhi.
3. Sub Divisional Engineer,
Telegraph, Kannur. ... Respondents

(By Advocate Mr. James Kurien rep.V.P.Thomas, ACGSC)

The application having been heard on 5.2.1997, the
Tribunal on the same day delivered the following:

O R D E R

A.V. HARIDASAN, VICE CHAIRMAN

The applicant who claims to have been working
as Casual Labourer under the respondents with effect
from 6.4.84 till the year 1995 with intermittent breaks
is aggrieved by the fact that he is not being given
work though work is available. Claiming re-engagement
the applicant made a representation on 28.10.96 (A.1).
Finding no response to this representation the applicant
has filed this application praying that it may be declared

contd....

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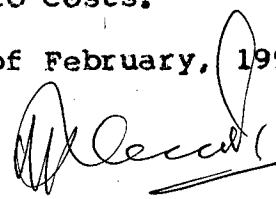
that the applicant is eligible to be re-engaged as casual labourer and praying for a direction to the respondents to take a decision on the representation A-1 made by him within a reasonable time.

2. When the application came up for hearing today, Shri James Kurien representing Mr. Varghese P. Thomas, ACGSC appearing for respondents stated that the respondents would consider the representation made by the applicant and if the claim is found true, the respondents will consider his re-engagement in preference to persons with lesser length of casual service than the applicant.

3. In the light of the above submission, by the learned counsel at the Bar, I admit and dispose of this application with a direction to the respondents to consider A-1 representation made by the applicant on 28.10.96 with reference to the documents which may be available in the possession of the respondents and to give a speaking order on the representation. It is further directed that if it is found that the claim made by the applicant in regard to the casual service rendered by him is true, the respondents shall consider the applicant for re-engagement, if work is available in preference to those who have rendered lesser length of casual service than the applicant.

4. The above directions shall be complied with within a period of one month from the date of receipt of a copy of this order. No order as to costs.

Dated the 5th day of February, 1997.


A.V. HARIDASAN
VICE CHAIRMAN

LIST OF ANNEXURE

1. Annexure A1: True copy of the representation dated 28.10.96 submitted by applicant to 1st respondent.

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