

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 212 of 1993

DATE OF DECISION 8.2.93

P.V. Prakashan _____ Applicant (s)

M/s M.R. Rajendran Nair & C.M. Nazar _____ Advocate for the Applicant (s)

Versus

Sub Divisional Officer, Telegraphs, Malappuram and another _____ Respondent (s)

Mr. K. Karthikeya Panicker, ACGSC _____ Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. N. Dharmadan, Judicial Member
and

The Hon'ble Mr. R. Rangarajan, Administrative Member

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. To be circulated to all Benches of the Tribunal?

JUDGEMENT

(Hon'ble Shri N. Dharmadan, Judicial Member)

The applicant is aggrieved by the delay on the part of the respondents to consider and pass orders on Annexures I & II representations submitted claiming re-engagement on the basis of his prior service.

2. According to the applicant he has worked as a casual mazdoor from July, 1984 to July, 1987. He discontinued from 1987 for no fault of him. Thereafter he submitted Annexure-I representation on 11.12.90 before the second respondent. He has filed another representation dated 3.12.91. The respondents have not disposed of the representations since the applicant has not produced sufficient materials in proof of his past service.

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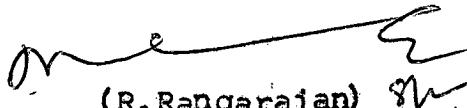
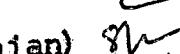
3. Accordingly the second respondent issued Annexure-III letter to the applicant calling upon him to produce xxxx supporting documents to prove his prior service for consideration of his representations. It is under these circumstances, the applicant has filed this application under Section 19 of the Administrative Tribunals Act mainly for a direction to the respondents to consider his representations and dispose of the same or in the alternative to declare that the applicant is entitled to be included in the list of casual mazdoors having temporary status.

4. At the time when the application came up for admission, the learned counsel for the respondents submitted that this application can be disposed of if the applicant is prepared to comply with the direction in Annexure-III and produce sufficient materials to prove his prior service as claimed in the application.

5. The learned counsel for the applicant has averred in the application that he has already submitted sufficient details and evidence before the second respondent so as to enable him to dispose of the representations at Annexures I and II. The learned counsel for the applicant has undertaken that within a week, on receipt of copy of this judgment, the applicant will produce before the second respondent all the materials available in proof of his previous service. We grant time as requested by

the learned counsel for the applicant. If he produces necessary evidence before the second respondent so as to enable him to dispose of the representations at Annexures I and II, he shall do so within a period of one month from the date of receipt of the same.

6. The application is accordingly admitted and disposed of on the above lines. There will be no order as to costs.


(R. Rangarajan) 
Administrative Member


(N. Dharmadan) 
Judicial Member

8th February, 1993

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