

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM

O.A. No. 259/91
~~XXXXXX~~

199

DATE OF DECISION 21.2.1991

MN Uthaman Pillai Applicant (s)

Mr MR Rajendran Nair Advocate for the Applicant (s)

Versus

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

Mr Mathew J Nedumpara, ACGSC 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

Shri SP Mukerji, Vice Chairman

Heard the learned counsel of both the parties on this application in which the applicant who has styled himself as a casual worker ~~and who~~ had ^{been} ~~to be~~ in casual service under Respondent-2, Divisional Engineer, Telegraphs, Thiruvalla on various dates between 18.3.80 and 25.4.81 has prayed that the respondents be directed to re-engage him as casual mazdoor and to regularise his ^{service} ~~seniority~~ in accordance with his turn on the basis of his initial date of engagement.

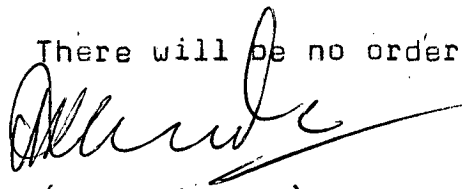
2 The learned counsel for the applicant submitted that the applicant had been making a number of representations, but he has not kept copies of that representations. It has also been averred that in spite of the DG, P&T's instructions, the respondents have ~~been~~ ignored his claim for re-engagement, while his juniors have

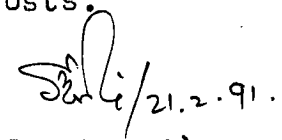
been retained. A copy of the representation dated 13.2.91 filed by the applicant has been appended as Annexure-I to the application.

3 The learned counsel for the respondents indicated that the application is time-barred. Incidentally, the learned counsel could not throw any light on the applicant's previous engagement and representations.

4 In the conspectus of facts and circumstances and in the interest of justice, we feel that it would be sufficient if at this stage the respondents are directed to dispose of the applicant's representation at Annexure-I, after verifying the facts averred in that representation regarding his previous engagements and give him necessary relief in accordance with law, keeping in view of our directions in OA 202/89 and other cases referred to in Ground-E of para-5 of of this application. Accordingly, we direct the respondents to dispose of the applicant's representation within a period of three months from to-day on the above lines. This application is, therefore, closed.

5 There will be no order as to costs.


(AV Haridasan)
Judicial Member


(SP Mukerji)
Vice Chairman

21-2-1991

/ admit this
application and