

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 27 1993.

DATE OF DECISION 13.1.93

G. Krishnadas Applicant(s)

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

Versus

Sub Divisional Officer, Telegraphs, Palakkad and another Respondent(s)

Mr. M.V.S. Namboothiri, ACGSC Advocate for the Respondent(s)

CORAM :

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

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

1. Whether Reporters of local papers may be allowed to see the Judgement? *Y*
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 applicant is aggrieved by the refusal of the respondents to consider his request for re-engagement as casual mazdoor and consequent regularisation taking into consideration his past service.

2. According to the applicant he has worked as casual labour in the Telecommunication Department under the first respondent from 1987. He also worked in the year 1988. But he was not given work in the last month of 1988. Thereafter he was allowed to continue on 'bills' till March, 1992.

Since the applicant was denied employment from March, 1992

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he filed Annexure-I representation dated 14.5.92 seeking re-engagement and regularisation. He also produced Annexure-II judgment in O.A. 1153/90 in support of his case that he is entitled to re-engagement. Since the said representation has not been disposed of, he has filed this application under section 19 of the Administrative Tribunals' Act 1985 for a declaration that he is entitled to re-engagement and regularisation with bottom seniority.

3. At the time when the case came up for admission, learned counsel for applicant submitted that recently the Govt. have taken a policy decision and issued letter stating that persons with earlier casual engagement on 7.6.88 are entitled to re-engagement even though they were not sponsored by the Employment Exchange. However, these matters requires further examination by the respondents.

4. Learned counsel for respondents is also heard. He has no objection in disposing the application with appropriate direction.

5. Accordingly, we admit the application and dispose of the same directing the second respondent to consider Annexure-I representation in accordance with law bearing in mind the recent policy statement issued by the Govt. and decision rendered by the Tribunal in this behalf. He shall dispose of the same as expeditiously as possible at any rate within a period of two months from the date of receipt of the judgment. Till the final decision is taken and communicated to the

applicant, the applicant may also be considered for engagement for casual work if work is available and juniors to the applicant are engaged.

6. The application is disposed of as above.

7. There shall be no order as to costs.



(R. Rangarajan)
Administrative Member



(N. Dharmadan)
Judicial Member

13.1.93

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