

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O. A. No. 267 of 1992  
T. A. No.

DATE OF DECISION 2-3-1992

MM Ramesan Applicant (s)

Mr MR Rajendran Nair Advocate for the Applicant (s)

Versus

SDO, Telephones, Respondent (s)  
Kanjirappalli & others

Mrs KB Subhagamani, ACGSC Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. SP Mukerji, Vice Chairman

and

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? *W*
3. Whether their Lordships wish to see the fair copy of the Judgement? *W*
4. To be circulated to all Benches of the Tribunal? *W*

JUDGEMENT

Shri AV Haridasan, J.M.

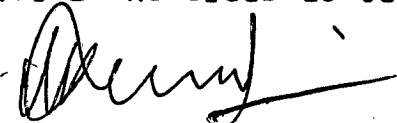
The applicant, a casual mazdoor has approached this Tribunal with this application for a direction to the respondents to reengage him as casual mazdoor and for a declaration that he is denied to have continued in casual employment despite illegal non-engagement. This application was filed finding that the representation made by him on 30.9.91 at Annexure-I to the respondent-2 remained unresponded to. The Senior Standing Counsel who took notice of this application had agreed to verify whether a representation as mentioned in the application was ever received by respondent-2. But when the matter came up for hearing today, for want of information from the respondents, the counsel was not able to say anything. So we decided to admit

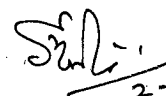
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the application and to dispose of the same with a direction to the Respondent-2 to dispose of the representation of the applicant at Annexure -I on its merit.

2 In the result, we admit this application and dispose of the same with direction to Respondent-2 to consider the representation of the applicant at Annexure AI, with reference to the documents available with the Department and the averments made in the representation and give the applicant a speaking order within a period of one month from the date of communication of this order. In case it is established that the applicant had worked in the Department as a casual labourer earlier, <sup>as claimed by him</sup> we direct <sup>re</sup> that he should be reengaged as a casual mazdoor in accordance with his seniority <sup>in his category of casual workers</sup> and subject to availability of work.

3 There is no order as to costs.

  
(AV Haridasan)  
Judicial Member

  
2-3.1992  
(SP Mukerji)  
Vice Chairman

2-3-1992