

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM

O.A. No. 269/1991

199

T.A. No.

DATE OF DECISION 25-2-1991

MN Subramanian & another Applicant (s)

Mr MR Rajendran Nair

Advocate for the Applicant (s)

Versus

The Chief General Manager Respondent (s)

Telecommunications, Kerala

Circle, Trivandrum & others.

Mr George Joseph, 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?
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

Shri SP Mukerji, Vice Chairman

The two applicants before us, who had been simultaneously engaged intermittently by the Sub Divisional Officer, Aluva (R-3) between 13.4.87 and 21.7.87 have prayed that the respondents be directed to give them work and wages as casual mazdoors in preference to any outsider and regularise them in their due turn. In support of their prayer, they have produced a certificate of employment at Annexure-I issued by the Sub Divisional Officer, Telegraphs, Alwaye and the representation dated 10.2.90 at Annexure-II which according to them still remains to be disposed of. They further contend that persons who had been employed later than they are being given casual employment, while their interest and rights have been violated.

2 We have heard the arguments of the learned counsel of both the parties and gone through the documents carefully. In the circumstances indicated in the application, we admit the same allowing the applicants to file a joint application. In the interest of justice, we direct the respondents to dispose of the representation of the second applicant already at Annexure-II and the similar representations, if filed, by the first applicant also within a period of one month from the date of receipt of this order, after verifying the facts of employment as averred by the applicants. While disposing of the representations, the rights of the applicants under Chapter V-A of the ID Act as also under Articles 14 and 16 of the Constitution ^{vis a vis} _{in respect of} ^{any} casual mazdoors subsequently employed by the respondents also be kept in view. The decision of the Supreme Court referred to in Ground-A in para-5 of the application should also be considered by the respondents.

3 The application is disposed of on the above line and there will be no order as to costs.



(AV Haridasan)
Judicial Member



(SP Mukerji)
Vice Chairman

25-2-1991