

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 278 of 2000

Wednesday, this the 6th day of September, 2000

CORAM

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

1. C.K. Lakshmikutty, W/o. Mohandas,
Thunduparambil, Thiruvampady,
Pazhaveedu PO, Alleppey. ...Applicant

By Advocate Mr. M.R. Rajendran Nair

Versus

1. The District Manager,
Telecom, Alleppey-11
2. The Assistant Engineer,
Trunks Carrier, Telecom, Alleppey-11
3. Union of India, represented by its
Secretary to Government of India,
Ministry of Communications,
New Delhi. ...Respondents

By Advocate Ms. I. Sheeladevi, ACGSC

The application having been heard on 6th September, 2000,
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

The applicant seeks to quash A4 to the extent it does not include her name for further engagement on casual basis, to declare that she is entitled to be empanelled as an approved casual labourer and to direct the respondents to include her name in the approved list of casual labourers.

2. Respondents have filed a reply statement stating the reason for non-empanelment of the applicant.

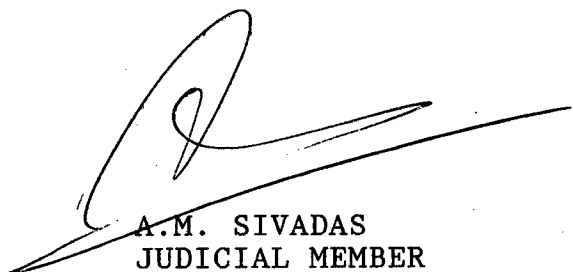
3. A4 contains the list of applications received in response to the notification issued in pursuance of the order of this Bench of the Tribunal in OA Nos. 1027/91 and 1402/93 and also the name of the person who was found eligible for

empanelment. It is really interesting noting that A4 does not contain any reason as to how all others, excepting one, were found to be not eligible for empanelment. It goes without saying that the applicant is entitled to know the reason or ground on which she has been found not eligible for empanelment. Respondents cannot withhold the reason. In the absence of any reason being stated, the applicant is left in the dark as to why she was found ineligible for empanelment. It is needless to say that every order which is subject to judicial review should contain reasons. There is no dispute raised by the respondents that A4 is not subjected to judicial review. On that ground also, A4 should necessarily contain the ground on which the applicant was found not eligible for empanelment. Since the reason as to how the applicant was found ineligible for empanelment is conspicuously absent in A4, the same is liable to be quashed to the extent it relates to the applicant.

4. Accordingly, A4 is quashed to the extent it relates to the applicant. The 1st respondent is directed to consider the application of the applicant which was admittedly received and pass an appropriate order within a period of two months from the date of receipt of a copy of this Order.

5. The Original Application is disposed of as above. No costs.

Wednesday, this the 6th day of September, 2000



A.M. SIVADAS
JUDICIAL MEMBER

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List of Annexures referred to in this Order:

1. A4 True copy of the list of Casual Mazdoors No. E.27/Empanelment/54 dated 10-3-1999 issued by the General Manager, Telecom, Alappuzha.