

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.287/98

Tuesday, this the 17th day of March, 1998.

CORAM:

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

HON'BLE MR SK GHOSAL, ADMINISTRATIVE MEMBER

1. PJ Antony,
S/o Jacob,
Panakkal,
Kumbalangi,
Cochin-7.
2. PA Antony,
S/o Achakko,
Pariyathusseril,
Kumbalangi,
Cochin-7.

- Applicants

By Advocate Mr MR Rajendran Nair

Vs

General Manager,
Telecom,
Ernakulam.

- Respondent

By Advocate Mr TPM Ibrahim Khan, SCGSC

The application having been heard on 17.3.98, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

The applicants who claims to have rendered casual service under the respondent for about 90 days in the year 1981-82, have filed this application praying for a direction to the respondent to re-engage them. It has been alleged in the application that this Tribunal had in O.A.1402/93 directed the respondents therein to consider re-engagement of all those casual

labourers who had rendered past service as and when they apply, and that the applicants though represented to the respondent for re-engagement, the respondent did not care to do so. Under these circumstances that the applicants have filed this application.

2. Learned counsel for respondent states that unapproved casual labourers not worked for three years would not have claim for re-engagement according to the extant instructions, that the order of the Tribunal in O.A.1402/93 is under appeal before the Hon'ble Supreme Court, and that the directions contained in the order of the Tribunal in that case has since been stayed. Taking note of this situation, learned counsel for applicants states that the application may now be disposed of with the observation that if ultimately the Supreme Court upholds the orders of this Tribunal in O.A.1402/93 and if the applicants apply for re-engagement, the respondent shall consider their case for re-engagement giving them the benefit of the decision in O.A.1402/93. Learned counsel for respondent has no objection in disposing of this application with the above observation.

3. Accordingly we dispose of the application with the observation that if ultimately the Hon'ble Supreme Court upholds the direction given by the Tribunal to the Telecom Department in O.A.1402/93 and if the applicants also apply for re-engagement, their cases also may be considered keeping in view the directions in the judgement in O.A.1402/93. No costs.

Dated, the 17th March, 1998.


(SK GHOSAL)
ADMINISTRATIVE MEMBER


(AV HARIDASAN)
VICE CHAIRMAN

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