

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O. A. No.  
~~XXXXXX~~

296 of 199 2

DATE OF DECISION 09-03-1992

K.O. Antony

Applicant (s)

Mr.M.R.Rajendran Nair

Advocate for the Applicant (s)

Versus

The Sub Divisional Officer

Respondent (s)

Telegraphs, Aluva and others

Mr.V.V.Sidharthan, ACGSC

Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. S.P.Mukerji - Vice Chairman  
and

The Hon'ble Mr. A.V.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

(Hon'ble Mr.A.V.Haridasan, Judicial Member)

The applicant is a casual mazdoor who had been during 1978-79 engaged in different spells for about 300 days under the first respondent. Finding that persons similarly situated like him are being reengaged as there is lot of work to be got done through casual mazdoors the applicant has now made a representation to the second respondent on 15.11.91, a copy of this representation is at Annexure-I. Since the applicant did not find any response to his representation he has filed this application on 12.2.1992 under section 19 of the Administrative Tribunals Act praying that the respondents may be directed to reengage the applicant in service and to regularise him in service in his due turn considering his past service. He has in

paragraph 2 of the application given details regarding his previous engagement. He has also averred in paragraph 10 of the Original Application that in identical situations reengagement had been given to several other casual mazdoors under the direction of this Tribunal.

2. When the application came up for admission it was submitted by the learned counsel for the applicant that it would be appropriate if the matter is admitted and the respondents directed to dispose of the representation of the applicant and to give the applicant relief if he is entitled as was given to identically situated persons. The learned counsel for the respondents has no objection in adopting this course.

3. In view of this submission of the learned counsel, we admit the application and dispose of the same with a direction to the respondents to dispose of the representation at Annexure-I within a period of two months from the date of communication of this judgment, and that, if the applicant's claim of previous engagement is found to be true to reengage him, if work is available and if casual labourers, not sponsored by the Employment Exchange and having less length of service than him is engaged in preference to <sup>them</sup> others. There is no order as to costs.

  
(A.V. HARIDASAN)  
JUDICIAL MEMBER

(S.P. MUKERJI)  
VICE CHAIRMAN

09-03-1992

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