

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.340/98

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

CORAM:

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

HON'BLE MR SK GHOSAL, ADMINISTRATIVE MEMBER

G Ponnukuttan,
S/o Gopalan,
Odukurunhi House,
Naniyode.P.O.
Chittoor Taluk,
Palakkad District, PIN-678 534. - Applicant

By Advocate Mr MR Rajendran Nair

Vs

1. Sub Divisional Officer,
Telegraphs,
Palakkad.
2. The General Manager,
Telecom,
Palakkad.
3. The Chief General Manager,
Telecom, Kerala Circle,
Trivandrum. - Respondents

By Advocate Mr George Joseph, ACGSC

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 applicant who claims to have rendered casual service under the respondents for about 42 days in the year 1983, has filed this application praying for a direction to the respondents to re-engage him. 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 applicant though represented to the respondents for re-engagement, the respondents did not care to do so. Under these circumstances that the applicant has filed this application.

2. Learned counsel for respondents 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 applicant 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 applicant applies for re-engagement, the respondents shall consider his case for re-engagement giving him the benefit of the decision in O.A.1402/93. Learned counsel for respondents 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 applicant also applies for re-engagement, his case also may be considered keeping in view the directions in the judgement in O.A.1402/93. No costs.

Dated, the 17th day of March, 1998.


(SK GHOSAL)
ADMINISTRATIVE MEMBER


(AV HARIDASAN)
VICE CHAIRMAN