

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 345 of 1998

Wednesday, this the 25th day of March, 1998

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. S.K. GHOSAL, ADMINISTRATIVE MEMBER

1. V.T. Shabu, S/o V.T. Thomas,
Mazdoor,
Vazhappilly House,
PO Thozhiyoor, (via) Anjoor,
Kunnamkulam. .. Applicant

By Advocate Mr. MR Rajendran Nair

Versus

1. The General Manager,
Telecom, Trichur.
2. The Chief General Manager,
Telecom, Kerala Circle,
Trivandrum. .. Respondents

By Advocate Mr. Varghese P. Thomas, ACGSC

The application having been heard on 25-3-1998, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant, who claims to have rendered casual service during 1987 and 1988 and thereafter not engaged, made representation for re-engagement. Finding no response, the applicant has filed this application for a declaration that he is eligible to be re-engaged as casual workman and included in the list of approved casual mazdoors and for a direction to the respondents to re-engage the applicant, to grant him temporary status and other benefits arising on the basis of his prior service. The applicant has placed reliance on a ruling of this Bench of the Tribunal in OA No. 1402/93, wherein a direction has been given to the respondents to draw up a list of casual employees and consider them for re-engagement.

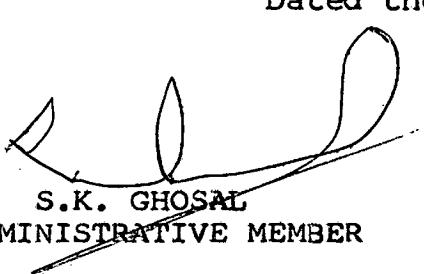
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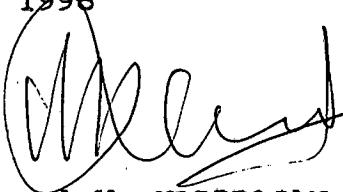
2. The learned counsel appearing for the respondents says that against the decision of the Tribunal in OA No. 1402/93 the Union of India has filed a Special Leave Petition No. 19036/95, that the Hon'ble Supreme Court has stayed the operation of the order in OA No. 1402/93 and that therefore, the applicant is not entitled to seek any relief on the basis of the order in OA No. 1402/93.

3. Faced with this situation, the learned counsel for the applicant states that the application may be disposed of directing the respondents that in case the Hon'ble Supreme Court uphold the decision of the Tribunal in OA No. 1402/93 or grant any other modified relief in regard to casual labourers, if the applicant makes a representation thereafter, the case of the applicant should also be considered giving the benefit of such orders. The learned counsel for the respondents have no objection in disposing of this application with such a direction.

4. In the result, the application is disposed of directing the respondents that depending on the result of the Special Leave Petition pending before the Hon'ble Supreme Court against the order in OA No. 1402/93, if any benefit is available to similarly placed casual labourers like the applicant, if the applicant makes a representation, his case also should be considered accordingly. No costs.

Dated the 25th of March, 1998


S.K. GHOSAL
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN