

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM

O.A. No. 39/91  
~~XXXXXX~~

109x

DATE OF DECISION 23-1-91

Shri P.N. Thankappan Applicant (s)

Shri M.R. Rajendran Nair Advocate for the Applicant (s)

Versus

The General Manager, Respondent (s)  
Telephones, Trivandrum and another

Shri Mathews J Nedumpara Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. S.P. Mukerji, Vice Chairman

The Hon'ble Mr. N. Dharmadan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. To be circulated to all Benches of the Tribunal? *No*

JUDGEMENT

N. Dharmadan, Judicial Member

The grievance of the applicant is that he is not re-engaged by the Telephone Department as Casual Mazdoor after his earlier engagement upto 1-12-76. The applicant submitted that he was continuously working upto 1976. Even after 1976, the applicant approached the respondents for getting work and submitted representation, but there was no response. Hence he has filed this application with the prayer for a direction to the respondents to give him work and wages in preference to any outsider <sup>as he</sup> and when work is available.

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2. The applicants latest representation Annexure-II dated 26-10-1989 submitted to the Director General, Telecommunication, New Delhi with a copy to the first respondent is even now pending. The respondents have neither considered his representations nor was he engaged along with freshers for work. According to him, work is available and the refusal to give work to him is arbitrary and illegal.


3. Today when the case came up for hearing the learned counsel for the respondents submitted that this application can be disposed of by directing the first respondent to consider and dispose of Annexure-II representation in accordance with law.

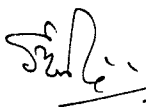
4. Having heard the matter we are satisfied that interest <sup>of</sup> justice would be met in this case if we dispose <sub>of</sub> the case in the light of the statement at the Bar with the following directions:

"The first respondent shall consider and dispose of Annexure-II representation taking into consideration the observations made by this Tribunal in similar cases, D.A. 202/89 and connected cases. This shall be done within a period of two months from the date of receipt of this order.

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5. The application is accordingly, disposed of with the above direction but without any order as to costs.

  
(N. Dharmadan) 23.1.91  
Judicial Member

  
(S.P. Mukerji)  
Vice Chairman

23-1-1991