

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

O.A. No. 357/90

Bharat Nigam

Applicant

versus

Union of India & others

Respondents.

Shri R.C. Singh

Counsel for applicant

Shri V.K. Chaudhary

Counsel for Respondents.

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Hon. Mr. Justice U.C. Srivastava, V.C.

Hon. Mr. K. Obayya, Adm. Member.

(Hon Mr. Justice U.C. Srivastava, V.C.)

The applicant was appointed in the month of May, 1983 and according to him he worked for 120 days under Assistant Engineer (Microwave) Raibareilly. Thereafter he also worked as daily rated mazdoor in Telephone Exchange, Alambagh, Lucknow from October, 1983 to June, 1984 and thereafter, his services were terminated. Coming to know that some appointments are being made by the Telecom District Manager, Lucknow the applicant also submitted his application but no appointment was given to the applicant. Running hither and thither, he has ultimately come to the Tribunal with the prayer that the letter dated 2.1.89 be quashed and the respondents be directed to consider the case of the applicant and re-engage him as casual labour in the future recruitment when-ever the vacancy

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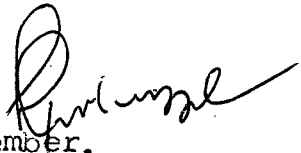
occure. Vide letter dated 2.1.89 the applicant was informed that he was not eligible as per rules.


2. According to the respondents he has worked only for 123 days under A.E. Raibareli which unit is under Divisional Engineer, Telecom, Dong Distance, Lucknow and does not come under the jurisdiction of this Telecom Division. The said sub division engages casual labour for his own work. The applicant did ^{not work} /at Lucknow under S.D.O. Phones and due to ban on engagement of casual workers imposed with effect from 30.3.85, all Telecom District Managers/Telecom Divisional Engineers in the U.P. Circle were addressed vide letter dated 3.10.88 to send particulars of such casual labours who were engaged prior to 30.3.85 and were at that time out of employment due to non availability to work and willing to work on deputation in Lucknow Telecom District for cable laying work.

3. The applicant's grievance is that he has worked for 120 days at Raibareli and also at Lucknow and benefit has not been given to him and in case the correct record is maintained it will be found that the applicant worked at Lucknow. ~~and~~ That maybe so, but in the absence of documents it is difficult to accept the same. The respondents are directed to consider

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the case as to whether he has worked at Lucknow and
in case he has worked at Lucknow his case for re-engagement
at Raibareli or at Lucknow, taking into consideration his
seniority among the casual labours, ^{maybe considered} The application is
disposed of as above ^{with} ~~in~~ no order as to costs.


Adm. Member.


Vice Chairman.

Shakeel/

Lucknow: Date: 14.9.92