

43

CENTRAL ADMINISTRATIVE TRIBUNAL,
HYDERABAD BENCH: AT HYDERABAD.

O.A. No. 144/89.

Date of Decision: 16-10-92.

~~XXXXXX~~

Ch. Srinivasarao

Petitioner.

Shri V.V.L.N. Sarma (Not present)

Advocate for
the Petitioner(s)

Versus

Telecom. Dist. Manager,
7 Star Building, Vijaywada & 2 others

Respondent.

Shri N.R. Devaraj, Sr. CGSC

Advocate for
the Respondent
(s)

CORAM:

THE HON'BLE MR. R. Balasubramanian : Member (A)

THE HON'BLE MR. C.J. Roy : Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporters or not ?
3. whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?
5. Remarks of Vice Chairman on Columns 1, 2, 4 (To be submitted to Hon'ble Vice-Chairman where he is not on the Bench.)

HRBS
M(A).

HCJR
M(J).

uM

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.A.No.144/89.

Date of Judgement 16-10-1992

Ch.Srinivasarao

.. Applicant

Vs.

1. Telecom. Dist. Manager,
7 Star Building,
Vijaywada.

2. Divl. Engineer, M-II,
Machilipatnam.

3. Sub-Divl. Officer,
Telephones,
Machilipatnam.

.. Respondents

Counsel for the Applicant : Shri V.V.L.N.Sarma (Not present)

Counsel for the Respondents : Shri N.R.Devaraj, Sr. CGSC

CORAM:

Hon'ble Shri R.Balasubramanian : Member (A)

Hon'ble Shri C.J.Roy : Member (J)

I Judgement as per Hon'ble Shri R.Balasubramanian, Member (A)

The applicant was appointed as casual mazdoor in March, 1982. The service he had rendered stood at 1695 days and 2024 days respectively on 31.7.87 and 30.6.88. He was told that his services were not required and hence this O.A. with a prayer to direct the respondents to continue him on casual work in the indoor section and also to finalise the seniority of the indoor casual mazdoors as per the Asst. General Manager, Telecom. letter dt. 19.3.81 and to assign him proper place therein.

2. The respondents have filed a counter and oppose the O.A. It is stated that in the seniority list issued by the Telecom. Dist. Manager, Vijaywada, his position is 12th among those working under Respondent No.3. As a result of two regular mazdoors joining Respondent No.3 on 9.3.89, the applicant and another were asked to work in the outdoor section. The applicant did not turn up for work.

To

1. The Telecom Dist. Manager, 7 Star Building, Vijayawada.
2. The Divisional Engineer, M-II, Machilipatnam.
3. The Sub-Divisional Officer, Telephones, Machilipatnam.
4. One copy to Mr. V.V.L.N. Sarma, Advocate, 3-4-524, Barkatpura, Hyd.
5. One copy to Mr. N.R. Devraj, Sr. CGSC.CAT, Hyd.
6. One spare copy.

pvm.

3rd attd
P.D.G.

They deny having terminated his services. It is also contended that seniors to the applicant are working in the outdoor section. As there is more scope for work in the outdoor section, seniors are kept in that section and none junior to the applicant is working in the indoor section. They do not maintain separate seniority lists for indoor and outdoor mazdoors. The seniority list is maintained on a sub-divisional basis covering both indoor and outdoor mazdoors.

3. We have examined the case. The case stood posted for dismissal on account of the absence of the counsel for the applicant on earlier occasions. On this occasion too, the counsel was absent and we heard only the learned counsel for the respondents.

4. It is stated that the cadre of mazdoors is a sub-divisional one. There is to be no distinction between those working indoor and those in outdoor. No order of the Director-General is shown to this effect. We have seen the 19.3.81 letter of the Genl. Manager, Telecom, Andhra Pradesh referred to by the applicant (appended to O.A.No.790/89). The divisions were asked to prepare separate lists for indoor and outdoor maintenance. The cadre being a sub-divisional one that letter may be applicable only where there are separate sub-divisions in the division for indoor and outdoor maintenance. Such was not the case of Machilipatnam Sub-Division. Under these circumstances, we do not want to direct the respondents to maintain separate seniority lists as prayed for. The application is dismissed with no order as to costs.

R.B.alasubramanian
(R.Balasubramanian)
Member (A).

l
(C.J.Roy)
Member (J).

Dated: *16th*
October, 1992.

4
Deputy Registrar (1992).

11/81
11/82
TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD

THE HON'BLE MR

AND

THE HON'BLE MR. R. BALASUBRAMANIAN : M(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY :
M(JUDL)

AND

THE HON'BLE MR. C. J. ROY : MEMBER (JUDL)

Dated: 16-10-1992

ORDER/JUDGMENT:

R.A. / C.A. / M.A. No

in

O.A. No.

144/89

T.A. No.

(wp. No)

Admitted and interim directions
issued.

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default

M.A. Ordered/Rejected

No orders as to costs.

Central Administrative Tribunal
DESPATCH

20 NOV 1992

HYDERABAD BENCH.

pvm