

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH

AT HYDERABAD

26

O.A. No. 652/89

Dt. of Decision 25.2.93

P.A. No.

G. Stayanandam

Petitioner

Mr. P. Naveen Rao

Advocate for
the petitioner
(s)

Versus

The Director, Telecommunications,

New Delhi and 3 others.

Respondent.

Mr. N.V. Raghava Reddy

Advocate for
the Respondent
(s)

CORAM

THE HON'BLE MR. N.V. KRISHNAN, VICE-CHAIRMAN (ADMN.)

THE HON'BLE MR. T. CHANDRASEKHARA REDDY, MEMBER (JUDL.)

1. Whether Reporters of local papers may be allowed to see the judgement?
2. To be referred to the Reporters or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
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.)

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(HNVK)
VC (A)

(HTCSR)
M (J)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.652/89

Date of Order: 25.2.93

BETWEEN:

G.Satyanandam

.. Applicant.

A N D

1. The Director General,
Telecommunications, Dept.
of Telecommunications,
Govt. of India,
New Delhi - 110 001.
2. The Chief General Manager,
Telecommunications,
Dept. of Telecommunications,
AP, Triveni Complex,
Hyderabad - 500 001.
3. The Telecom Dist. Engineers,
Kareemnagar - 505 001.
4. The Sub-Divisional Officer,
Telecom, Karimnagar - 505 001.

.. Respondents.

Counsel for the Applicant

.. Mr.P.Naveen Rao

Counsel for the Respondents

.. Mr.N.V.RaghavaReddy

CORAM:

HON'BLE SHRI N.V.KRISHNAN, VICE-CHAIRMAN (ADMN.) AHMEDABAD BENCH

HON'BLE SHRI T.CHANDRASEKHARA REDDY, MEMBER (JUDL.)

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Order of the Division Bench delivered by
Hon'ble Shri N.V. Krishnan, Vice-Chairman (Admn.).

The applicant is a Casual Mazdoor under the Sub-Divisional Office, Telecom, Karimnagar. He has approached this Tribunal aggrieved by the oral order of termination dt. 23.11.1988 and has prayed for a declaration that such order is illegal, ^{and} arbitrary and consequently, to direct the respondents to reinstate him in service as well as to regularise him in the Category of Mazdoor with all consequential benefits.

2. When the case came up for final hearing the learned counsel for both the sides drew our attention to a decision rendered by this Bench of the Tribunal in a batch of cases O.A. 336/88 etc J.R.Babu Rao and others Vs. Telecommunications and others 1991 (2) SLJ 175, wherein a similar matter was considered in detail and suitable directions had been given to the respondents. The learned counsel for the applicant prays for a similar directions to be given in this case also.

3. The learned counsel for the respondents ^{has} ~~has~~ no objection to the disposal of this case in this manner. After the application was filed, during the pendency of the application, an interim order was issued on 1.9.1989 directing the respondents to restore to duty as Mazdoor if there is vacancy available, and if any juniors of his ^{is} continuing. In pursuance of this order, the applicant has already been re-engaged.

4. Following the judgement in J.R.Babu Rao's case referred to above we dispose of this application with the following direction to the respondents.

(1). The respondents are directed to prepare

To

1. The Director General, Telecommunications,
Dept.of Telecommunications, Govt.of India,
New Delhi-1.
2. The Chief General Manager, Telecommunications,
Dept.of Telecommunications, A.P.Triveni Complex,
Hyderabad-1.
3. The Telecom Dist.Engineers, Karimnagar-1.
4. The Sub-Divisional Officer, Telecom, Karimnagar-1.
5. One copy to Mr.P.Naveen Rao, Advocate, CAT.Hyd.
6. One copy to Mr.N.V.Raghava Reddy, Addl.CGSC.CAT.Hyd.
7. One spare copy.

pvm

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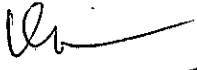
a seniority list in accordance with various instructions issued by the D.G. Telecom to which a reference has been made in para 4 of the judgement referred to earlier.


- (2) The respondents are directed to continue to engage the applicant in accordance with the seniority subject to availability of work and to extend to him such other benefits in accordance with the instructions issued by the D.G. Telecom from time to time.

Taking into consideration the judgement of Supreme Court referred to therein, after preparing the said seniority list.

5. The next issue is regarding the break in service of the applicant. We notice the break in service ^{is for} the period from 19.7.1984 to 30.7.1985 and from 1.5.1986 to 30.10.1988. The department has issued certain instructions as to ^{the} manner in which a break in service would be dealt with in various circumstances. It is stated by the applicant that ~~the~~ a representation already been filed on 12.12.1988. It would be appropriate if we issue a direction to the applicant to submit a fresh representation in this behalf containing all the documents on which he depends for condonation of break in service. Such a representation to be made within one month from the date of the receipt of this order and the respondents shall ^{after} receive ^{ing} the representation ^u and dispose of the representation within 3 months ^u ~~from~~ thereafter.

The application is disposed of with no order as to costs.


28/2/93
(N.V. KRISHNAN)
Vice-Chairman (Admn.)


(T. CHANDRASEKHARA REDDY)
Member (Judl.)

Dated: 25th February, 1993

(Dictated in Open Court)

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Deputy Registrar (D)