

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

OA No.761/89.

Dt. of Order:10-8-93.

Ahmed Tasleem Ullan Khan

....Applicant

Vs.

1. The Director General Telecommunications,  
Department of Telecommunications,  
Government of India, New Delhi-1.
2. The Chief General Manager,  
Telecommunications, A.P.Trivani  
Complex, Hyderabad-1.
3. The Telecommunications, Dist. Engineer,  
Dept. of Telecommunications,  
Karimnagar-505 001.
4. The S.D.O.Telecommunications,  
Dept. of Telecommunications,  
Jagtial, Karimnagar Dist.-505 327.

....Respondents

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Counsel for the Applicant : Shri P.Naveen Rao

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

(order of the Divn. Bench passed by Hon'ble  
Shri A.B.Gorthi, Member (A) ).

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The applicant who was first engaged as Casual  
Mazdoor in the Department of Telecommunications, Jagtial,  
Sub Division on 1-8-83 claims that although he had worked  
continuously, with some breaks on account of his illness  
till 31-10-88 the Respondents refused to re-engage him after  
1-11-88. When the O.A. came up for admission an interim  
order was passed on 29-9-89 directing the Respondents to

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re-engage the applicant, if any one junior to him had been retained or taken as Casual Labour. We are now informed by the applicant's counsel that in compliance with the interim order the applicant has been re-engaged as he is continuing as Casual Labour to date.

2. The Respondents' counsel states that the applicant was initially engaged as Casual Mazdoor in Jagtial Sub-Division on 1-8-83. They however contend that the applicant absented himself from April, 1985, to September, 1985, and again from June, 1986 to July, 1986. He was also absent for more than six months with effect from 16-8-86 till he was re-engaged on 4-3-87. <sup>Q</sup> ~~the counter~~ of the Respondents is also not able to explain satisfactorily as to why the applicant was not considered for regularisation. The applicant was dis-engaged from 1-11-88 as there was no work and as he could not be considered for regularisation.

3. Even if the various spells for which applicant had worked prior to 1987 were to be ignored, the fact remains that the Respondents engaged the applicant as a fresh case with effect from 4-3-87 and the applicant continued to serve under the Respondents as a Casual Labour till 31-10-88. Once again, in compliance with the interim order of the Tribunal the applicant was engaged in 1989 and is continuing to work as Casual Labour as on today. In view of the period of service rendered by the appli-

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cant the case of the applicant deserves to be considered for regularisation vis-a-vis those who had put in similar length ~~type~~ of service as a Casual Labour. In considering the case of the applicant for regularisation, the respondents are will examine if there/any ~~any~~ further breaks in service after 4-3-87 and if so consider whether they can be condoned in accordance with the extant instructions. If there are no breaks in service, the case of the applicant will be considered for regularisation along with those who had ~~type~~ put in equal number of days of service as <sup>a</sup> Casual Labour. The application is allowed in the above terms. No order as to costs.

T. C. S. R.  
(T. CHANDRA SEKHAR REDDY)  
Member (J)

A. B. GORTHI  
(A. B. GORTHI)  
Member (A)

Dated: 10th August, 1993.  
Dictated in Open Court.

8/20/93  
Deputy Registrar (J)

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To

1. The Director General Telecommunications,  
Dept. of Telecommunications, Govt. of India, New Delhi-1.
2. The Chief General Manager, Telecommunications, A.P.,  
KKR. Triveni Complex, Hyderabad-1.
3. The Telecommunications, Dist. Engineer,  
Dept. of Telecommunications, Karimnagar-1.
4. The S.D.O. Telecommunications,  
Dept. of Telecommunications,  
Jagtial, Karimnagar-327.
5. One copy to Mr. P. Naveen Rao, Advocate, CAT. Hyd.
6. One copy to Mr. N. R. Devraj, Sr. CGSC. CAT. Hyd.
7. One copy to Library, CAT. Hyd.
8. One spare copy

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADRI RAO  
VICE CHAIRMAN

AND

THE HON'BLE MR.A.B.GORTHY : MEMBER(A)

AND

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

AND

THE HON'BLE MR.P.T.RIRUVENGADAM:M(A)

Dated: 10-8-1993

~~ORDER~~ JUDGMENT:

M.A/R.A/C.A.N.

O.A.NO. 761/89  
T.A.NO. (W.P.)

Admitted and Interim directions  
issued.

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered

No order as to costs.

