

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.A.No.255/90.

Date of Judgement 16.12.1992

D.Anjaiah

.. Applicant

Vs.

1. The General Manager,
Telecommunications,
A.P.Circle, Hyderabad.

2. The Telecom. District
Engineer, Karimnagar,
Karimnagar Dist. A.P.

3. The Sub-Divisional
Officer(Phones),
C/o The Telecom. District
Engineer, Karimnagar,
Karimnagar Dist.

.. Respondents

Counsel for the Applicant : Shri P.Naveen Rao

Counsel for the Respondents : Shri N.V.Ramana, Addl. CGSC

CORAM:

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

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

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

This O.A. is filed seeking a direction to declare the action of the 2nd respondent in retrenching the applicant from service as illegal and for regularisation of service.

2. The applicant has been working as Casual Mazdoor with the Respondents Organisation from 1.1.82 to 12.6.86. On 12.6.86 he met with an accident while working on a Cable Work Pole and was hospitalised for sometime and the Doctor attending on him advised to take complete rest. For this reason he was absent from duty from 13.6.86 to 10.4.88. The Doctor attending on him issued a Fitness Certificate on 10.4.88. On an application made by the applicant the 2nd respondent admitted him as Casual Mazdoor w.e.f. 11.4.88 and restored his name in the Muster Rolls from 11.4.88. The applicant was continuously working as Mazdoor without any break. The applicant's service

To

1. The General Manager, Telecommunications,
A.P.Circle, Hyderabad.
2. The Telecom.District Engineer,
Karimnagar, Karimnagar Dist.A.P.
3. The Sub-Divisional Officer (Phones)
C/o The Telecom.Dist.Engineer, Karimnagar, Karimnagar Dist.
4. One copy to Mr.P.Naveen Rao, Advocate, CAT.Hyd.
5. One copy to Mr.N.V.Ramana, Addl.CGSC.CAT.Hyd.
6. One spare copy.

pvm.

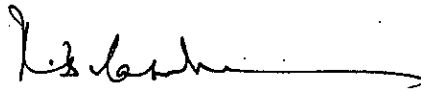
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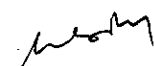
were terminated by oral orders on 1.7.89. Aggrieved by the said action, he has filed this O.A. to set aside the order of termination and also to regularise his services.

3. We have examined the case and heard the counsels for the rival sides. Shri N.V.Ramana, learned counsel for the respondents states that the applicant's services were terminated on completion of the works for which he has been engaged. Our attention was also drawn to the fact that this case is fully covered by a decision rendered in O.A.No.367/88. As regards the termination, in the case cited, it was held by this Bench that if the applicants were aggrieved by the orders of termination, they should approach the Industrial Tribunal first. Accordingly, in this case also we do not entertain the prayer now. As regards regularisation, following the judgement cited, we direct the respondents to consider the case of the applicant for regularisation in accordance with the Director-General, Telecom. letters

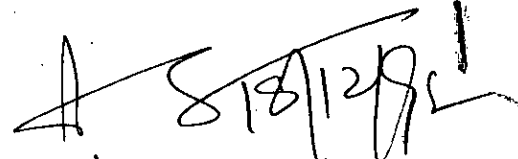
- (1) No.269-89/88-STN dt. 17.10.88
 - (2) No.269-29/88-STN dt. 18.11.88
 - (3) No.269-10/89-STN dt. 7.11.89
 - (4) No.269-10/89-STN dt. 17.12.90
- and other orders issued from time to time.

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


(R.Balasubramanian)
Member(A).


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


Dated: 16th December, 1992.


Deputy Registrar(J)

