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IN THE CENTRA ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD

OA No.75/91.

Dt. of Order:9-9-93.

M.A.Pasha

...Applicant

Vs.

1. The Divisional Engineer,
Telecom (Mtce.),
Bhimavaram - 534 202.
2. The Telecom District Manager,
Eluru - 534 050.
3. The Chief General Manager,
Telecom, A.P., Hyderabad-1.
4. The Director General, Telecom,
(representing Union of India),
New Delhi - 110 001.

...Respondents

.. ..

Counsel for the Applicant : Shri C.Suryanarayana

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

.. ..

CORAM:

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

THE HON'BLE SHRI T.CHANDRASEKHAR REDDY : MEMBER (J)

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

.. ..

The applicant was initially recruited and
employed as a Mazdoor on 12-12-83. He worked up to

18/10/93

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. 2 .

February, 1985 for a total period of 438 days as can be seen from certificate attached as Annexure A-1 to the application. The applicant fell sick in March, 1985 and was under the treatment of Civil Assitant Surgeon, Government Hospital, Bhimavaram, up-to the end of May, 1987. He was once again employed for about 15 days from 15-6-87. Subsequently also he worked with the Respondents for various spells. but his services were terminated ^{Arduously} ~~only~~ from 1-3-1990. Aggrieved by this he has filed this application. When this O.A. came up for admission an interim order was passed directing the Respondents to re-engage the applicant in preference to his juniors and outsiders and if work was available. A further direction was given that in the event of his re-engagement he would be paid Daily Wages at the rate of 1/30th of the monthly wages of a regular employee. We are now informed that in pursuance to the interim order, the applicant has been re-engaged and he is continuing to work as Mazdoor with the Respondents.

2. This application was filed on 23-1-91 but the respondents have not yet filed any counter affidavit despite time and opportunity having been given to them.

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.....3.

22/1/91

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3. As the applicant, has been ^{re} ~~usually~~ engaged and is continuing to working as Mazdoor, though in response to our interim order, it would be just and proper if this application is disposed of with the following directions :-

(1) the applicant will continue to be engaged as a Mazdoor and if he has to be dis-engaged, it will be on the principle of "last come first go";

(2) the respondents shall take into consideration the total period of service rendered by the applicant, for various purposes such as seniority, regularisation etc.,

4. The application is disposed of in the above terms without any order as to costs.

(T. CHANDRASEKHAR REDDY)
Member (J)

(A.B. GORTHY)
Member (A)

Dated: 9th September, 1993.
Dictated in Open Court.

Deputy Registrar (J)

To

1. The Divisional Engineer, Telecom (Mtce.)
Bhimavaram-202.
avl/
2. The Telecom District Manager, Eluru-050.
3. The Chief General Manager, Telecom. A.P. Hyderabad-1.
4. The Director General, Telecom. Union of India, New Delhi-1.
5. One copy to Mr. C. Suryanarayana, Advocate, CAT. Hyd.
6. One copy to Mr. N. V. Ramana, Addl. CGSC. CAT. Hyd.
7. One copy to Library, CAT. Hyd.
8. One spare copy.

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3-10-93
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7/9/93

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

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. TIRUVENGADAM : M(A)

Dated: 9 - 9 - 1993

~~ORDER~~ JUDGMENT:

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

O.A.No.

T.A.No.

in

75/91

(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.

