

(21)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH
AT HYDERABAD

O.A.No.134/91

Date of order:07-10-1993

B. Prabhakar

.. Applicant

and

1. The Sub-Divisional Officer,
Telecom, Hindupur 515 201
2. The Telecom District Manager,
Anantapur 515 050
3. The Chief General Manager, Telecom,
Andhra Pradesh, Hyderabad 500 001
4. The Director General
Telecom
Representing Union of India
New Delhi 110 001.

.. Respondents

Counsel for the Applicant : Mr C. Suryanarayana
Counsel for the Respondents : Mr Rajeshwara Rao for
Mr NV Ramana, Addl.CGSC

CORAM:

HON'BLE SHRI A.B. GORTHI, MEMBER(ADMN)

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

ORDER

{As per Hon'ble Shri AB Gorthi, Member(Admn)}

The applicant was initially appointed as Casual Mazdoor in the Office of the Sub-Divisional Officer, Telecom, Hindupur on 1.10.1984. He continued to work as casual mazdoor upto 30.06.1987 and during the said period, had rendered service for a total of 362 days. Further from July 1986 to June, 1987 itself the applicant rendered 263 days service in the department. Notwithstanding

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the same, he was engaged as part time gardener with effect from 25.06.1987 and was given work for three hours a day at a fixed pay of Rs.170 p.m. plus corresponding allowances. Vide impugned order dated 31-10-1990, his services were terminated with effect from 01.12.1990 on the ground that the post against which he was working, was abolished. Aggrieved by the same, he has filed the present OA.

2. At the time of admission of this application, by way of an interim order, direction was given to the respondents to consider re-engaging the applicant. We are now informed by the learned counsel for the applicant that, in compliance with our interim order, the respondents have re-engaged the applicant once again as a Part-time casual mazdoor sometime in the last week of November, 1991, and that, the applicant is still continuing in service as part time casual mazdoor under the respondents.

3. The prayer of the applicant is for grant of temporary status and for regularisation in accordance with seniority.

4. We have heard learned counsel for both the parties. Shri C. Suryanarayana, learned counsel for the applicant, has drawn our attention to the judgement of the Full Bench of this Tribunal in OA 912/92 and OA 961/92 dated 7.6.1993. In those cases, a direction was given to the respondents therein to confer upon the applicants therein temporary status in Group 'D' posts pending their absorption in, Group 'D' posts in accordance with "Casual Labour (Grant of

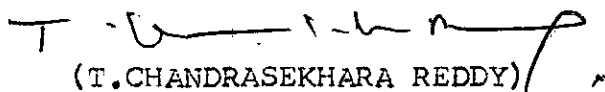
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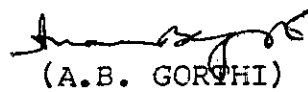
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temporary status & Regularisation) Scheme. It may be stated here that the said Scheme provides for grant of temporary status even to part time casual employees such as the applicant herein is. Accordingly, this application is disposed of with the direction to the respondents to consider the case of the applicant for grant of temporary status in accordance with extant instructions; and, also as per "Casual Labour (Grant of Temporary Status and Regularisation) Scheme issued on 7.11.1989. The respondents are further directed that the case of the applicant for regularisation shall also be considered keeping in view, the total period of service rendered by him both as a full time and part time casual mazdoor in the Department in accordance with the extant instructions. No orders as to costs.


(T.CHANDRASEKHARA REDDY)
Member(Judl.)


(A.B. GORTHI)
Member(Admn)

Dated: The 07th October, 1993


Deputy Registrar(J)

mvl

To

1. The Sub Divisional Officer, Telecom, Hindupur-201.
2. The Telecom District Manager, Anantapur-050.
3. The Chief General Manager, Telecom, Andhra Pradesh, Hyderabad.
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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7/10/93

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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. TIRUVENGADAM : M (A)

Dated: 7-10-1993

ORDER/JUDGMENT:

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

in

O.A. No.

134/91

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.

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Central Administrative Tribunal
DESPATCH
27 OCT 1993
HYDERABAD BENCH.