

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.A. No. 630/91.

Date of Judgement 30-7-92

Narsimlu

.. Applicant

Vs.

1. Union of India,
Rep. by its
General Manager,
Telecommunications,
New Delhi.
2. The Chief General Manager,
Telecommunications,
A.P.Circle,
Hyderabad-A.P.
3. The Dist. Manager,
Telecommunications,
MBNR Divn., M'Nagar.
4. The Divl. Engineer(T),
Telecommunications,
M'Nagar.
5. The SDO Telecommunications,
Mahaboobnagar.

.. Respondents

Counsel for the Applicant : Shri K. Vasudeva Reddy

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

CORAM:

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

Hon'ble Shri T. Chandrasekhara Reddy : Member(J)

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

This application has been filed by Shri Narsimlu
under section 19 of the Administrative Tribunals Act, 1985
against the Union of India, Rep. by its General Manager,
Telecommunications, New Delhi & 4 others with a prayer to
declare the termination of the applicant from service
on 1.7.89 as illegal and to direct the respondents
to continue the applicant in service with all consequential
benefits and also to regularise his services.

- 2 -

2. The applicant is working in the Office of the 5th respondent since 10.2.88 as Casual Mazdoor. It is claimed that he had put in a total service of 322 days as per the muster roll maintained by the respondents. All of a sudden, on 1.7.89 his services were terminated orally and he was asked not to attend office by the 5th respondent. The applicant pleaded with the respondents not to terminate his services but in vain. Thereafter, he submitted representations on 17.7.89 and on 30.12.89. Since he did not get a favourable response, he has filed this O.A. It is his case that the termination w.e.f. 1.7.89 is a retrenchment without complying with the mandatory provisions of Section 25-F of the I.D.Act, 1947. It is also his case that since he had put in 322 days of service the termination is illegal and he is also entitled to regularisation.

3. There is no counter affidavit filed in this case.

4. We have heard the rival sides on 9.7.92. In a letter dt. 29.6.92 urging early hearing, the learned counsel for the applicant Shri K.Vasudeva Reddy had stated that the O.A. is squarely covered by the decision dt. 27.3.91 in O.A.No.367/88 of this Bench. We have seen the decision dt. 27.3.91 in O.A.No.367/88. The Bench did not go into the question of termination, holding that if that case is to be raised it should be raised before the Industrial Tribunal in terms of the Larger Bench decision of this Tribunal reported in 1991(1) SLR 245.

5. The Bench directed the respondents to re-engage the applicants in accordance with their seniority subject to the availability of work and taking into consideration the judgements of the Supreme Court, after preparing the seniority list/conferment of temporary status as per the

four circulars of the D.G.P&T (para 4 of the judgement).

- (1) D.G.Telcom. letter No.269-89/88-STN dt. 17.10.88.
- (2) D.G.Telcom. letter No.269-29/88-STN dt. 18.11.88.
- (3) D.G.Telcom. letter No.269-10/89-STN dt. 7.11.89.
- (4) D.G.Telcom. letter No.269-10/89-STN dt. 17.12.90.

In this case also, we repeat the same direction, in respect of the applicant herein.

6. We dispose of the application thus with no order as to costs.

R.Balasubramanian

(R.Balasubramanian)
Member(A).

T.Chandrasekhar Reddy

(T.Chandrasekhar Reddy)
Member(J).

23
Dated: 30 July, 1922.

8/8/92
Deputy Registrar (J)

To

1. The General Manager, Union of India, Telecommunications, New Delhi.
2. The Chief General Manager, Telecommunications, A.P.Circle, Triveni Complex, Hyderabad-A.P.
3. The Dist. Manager, Telecommunications, Mahaboobnagar Division, Mahaboobnagar.
4. The Divisional Engineer (T) Telecommunications, Mahaboobnagar.
5. The S.D.O.Telcommunications, Mahaboobnagar.
6. One copy to Mr. K.Vasudeva Reddy, Advocate ~~4-2-614~~ 4-2-614, Ramkote, Hyderabad.
7. One copy to Mr. N.Bhaskar Rao, Addl. CGSC.CAT.Hyd.
8. One spare copy. *N.V. Ramana*

20/7/92
pvm.

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH.

THE HON'BLE MR.

AND

THE HON'BLE MR.R.BALASUBRAMANIAN: M(A)

AND

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

AND

THE HON'BLE MR.C.J. ROY : MEMBER (J)

Dated: 30-7-1992

ORDER / JUDGMENT

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

in

O.A.No. 630/91

T.A.No.

(W.P.No.)

Admitted and interim directions issued

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default.

M.A.Ordered/Rejected.

No order as to costs.

pvm.

Central Administrative Tribunal

DESPATCH

11/8/1992

HYDERABAD BENCH