

(33)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.637/91

Date of Order: 10.3.94

V.Sesham Raju

.. Applicant.

A-N-D

1. The Sub-Divisional Officer,
Telecom, Gadwal - 509 125.
2. The Telecom District Engineer,
Mahabubnagar - 509 050.
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

.. Mr. C.Suryanarayana

Counsel for the Respondents

.. Mr. N.V.Ramana

CORAM:

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

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

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Order of the Division Bench delivered by
Hon'ble Shri A.B.Gorthi, Member (Admn.).

The applicant was initially engaged as a Casual Mazdoor under the Sub-Divisional Officer Telecom Gadwal w.e.f. 1.10.1982. He continuously worked till the end of April 1983 for a total period of 151 days. Thereafter he was not given employment on the ground that he had not registered his name in the Employment Exchange. After his name was registered in the Employment Exchange ~~he was~~ again re-engaged during the period 1989-1990. At the end of July 1990 his name was removed from Mustor Rule but he was allowed to continue to work as a Casual Mazdoor till the filing of the OA.

2. We have heard learned counsel for both the parties. On behalf of the respondents it is stated that the applicant worked for about 330 days during 1989-90.

3. It is further stated that the applicant actually worked for only 221 days in 1989 and 109 days in the year 1990 and ~~as~~ thus not completed 240 days in any calender year prior to his dis-engagement. We are not inclined to accept this contention. The requirement that an individual should work for 240 days in a year would mean that the individual should render work for atleast 240 days in the 12 months preceding his termination/grant of temporary status.

4. The applicant further annexed to the O.A. copies of extract~~s~~ from the days book duly signed by the S.D.O. Telecom, Gadwal which shows that the applicant was engaged during 1982 and 1983 also.

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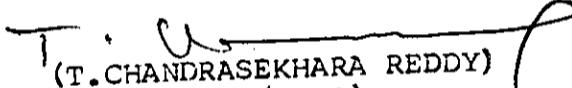
5. In view of the above, we are satisfied to
dispose of this application with the following directions:-

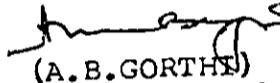
(a) The name of the applicant shall be entered in the casual labour register taking into consideration the number of days of service rendered by him as stated by him in this O.A.

(b) If any one junior to him as since been engaged, the applicant shall be re-engaged as soon as work becomes available.

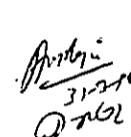
(c) The case of the applicant for grant of temporary status and subsequent regularisation/absorption shall be considered by the respondents in accordance with his seniority and as per the extant instructions.

There shall be no order as to costs.


(T. CHANDRASEKHARA REDDY)
Member (Jud1)


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

Dated: 10th March, 1994


(Dictated in Open Court)

To sd

1. The Sub Divisional Officer, Telecom, Gadwal-509 125.
2. The Telecom District Engineer, Managubnagar-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. OGSC.CAT.Hyd.
7. One copy to Library, CAT.Hyd.
8. One spare copy.

pvm

2-28-94
P.S. 230 AM
J.S.

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.GORTHI : MEMBER(AD)
AND

THE HON'BLE MR.TCCHANDRASEKHLAR REDDY
MEMBER(JUDL)

AND

THE HON'BLE MR.R.RANGARAJAN : M(ADMN)

Dated: 10 - 3 - 1994

ORDER/JUDGMENT

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

in

O.A.No.

637/91/

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.

pvm

