

(28)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A. No. 646/91

Date of Order: 10.3.94

BETWEEN:

T. Nagaseshanna

.. 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.

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Counsel for the Applicant

.. Mr. C. Suryanarayana

Counsel for the Respondents

.. Mr. N. V. Ramana

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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.).

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The applicant was initially engaged as a Casual Mazdoor under the Sub-Divisional Officer, Telecom, Gadwal on 2.2.88. He worked till the end of May 1988 for a total of 118 days. Subsequently he was re-engaged in September 1989 and worked continuously till the end of October 1990 for a total of 360 days. His services were dis-engaged from 1.11.1990, Although he had put in 360 days in the 12 months preceding the date of his dis-  
<sup>365</sup>  
<sub>of work</sub> engagement.

2. The respondents in their reply affidavit have stated that the applicant was engaged as a Casual Mazdoor and worked for 112 days from February 1988 to May 1988 and for a period of 48 days in 1989 and 165 days during 1989-1990. In other words their contention is that the applicant had not worked <sup>even</sup> for 240 days in any year of 12 months.

3. We have heard learned counsel for both the parties and perused the material before us. A careful examination of Annexure A-1, which is the document in support of the applicant's contention that he worked for a certain number of days, <sup>is shown</sup> It is seen that the same does not appear the <sup>bear</sup> signatures of any official in certain places. In view of this we cannot say with certainty <sup>anything</sup> ~~nothing~~ about the actual number of days that the applicant worked under Respondent No.1. This is a matter which requires to be carefully examined and determined by Respondent No.1, <sup>after</sup> perusing the relevant material produced by the applicant. Accordingly we dispose of this application with a direction that the applicant should report to Respondent No.1 on any date convenient <sup>to the latter</sup> and produce before him all the relevant

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material in his possession in support of his contentions about the number of days of work rendered by him under the respondents. Thereafter if Respondent No.1 is satisfied that the applicant had worked continuously for 240 days in any period of 12 months, his case may be considered for entering his name in the Casual Labour Register, for grant of temporary status and <sup>fw</sup> subsequent regularisation in accordance with the extant instructions/scheme.

4. There shall be no order as to costs.

T - C  
(T. CHANDRASEKHARA REDDY)  
Member (Judl.)

*thru/s*  
(A. B. GORTHI)  
Member (Admn.)

Dated: 10th March, 1994

(Dictated in Open Court)

*31-384*  
Deputy Registrar (S)

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To

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. CAGC, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

pvm

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