

(21)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD  
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O.A. No. 1050/91.

Dt.of Decision : 27-9-94.

B. Venkatesulu

.. Applicant.

Vs

1. The Sub-Divisional Officer,  
Telecom, Dharmavaram-515 672.
2. The Telecom District Manager,  
Anantapur - 515 050.
3. The Chief General Manager,  
Telecom, AP, Hyderabad-500 001.
4. Union of India rep. by  
the Director General, Telecom,  
New Delhi - 110 001.

.. Respondents.

Counsel for the Applicant : Mr. C.Suryanarayana

Counsel for the Respondents : Mr. N.R.Devaraj, Sr.CGSC.

CORAM:

THE HON'BLE SHRI A.V. HARIDASAN : MEMBER (JUDL.)

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

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25/10/94  
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O.A.No.1050/91

Dt. 27.9.1994

X As per Hon'ble Shri A.B.Gorthi, Member (Admn.) X

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The claim of the applicant is for a direction to the respondents to absorb him in the regular establishment of Anantapur Telecom District according to his turn in the seniority list of mazdoors of that district and pending the same to grant him temporary status.

2. The applicant states that he was initially engaged as a casual mazdoor in Hindupur Telecom Sub Division on 3.12.83. He worked till February 1985 when he fell ill. After <sup>he</sup> recovered from sickness, he approached the Dharmavaram Telecom Sub Division with a request for re-engagement as a casual labourer. He was taken on the muster rolls on 1.12.1989 and he continued to work for about 590 days but his services were terminated w.e.f. 1.10.91.

3. When this application came up for admission, an interim direction was given to the respondents to re-engage the applicant if there was work in preference to juniors/freshers. We are now informed by the learned counsel for the applicant that in compliance with the interim order dt. 29.11.1991, the applicant has been re-engaged.

4. Mr.N.R.Devraj, learned standing counsel for the respondents, on instructions, submits that the days of working as reflected by the applicant in the O.A. are not accurate.

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for

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Copy to:-

1. The Sub-Divisional Officer, Telecom, Dharamavaram-671
2. The Telecom District Manager, Anantapur-050.
3. The Chief General Manager, Telecom, A.P. Hyderabad.
4. Director General, Telecom, Union of India, New Delhi-001.
5. One copy to Sri. C. Suryanarayana, advocate, CAT, Hyd.
6. One copy to Sri. N.R. Devaraj, Sr. CGSC, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

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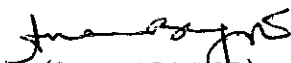
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5. In view of the above position we may dispose of this OA with the following directions to the respondents:-

1. As the applicant has since been re-engaged he will be continued as a casual mazdoor and if his retrenchment becomes necessary the principle of last come first go will be observed.
2. The respondents shall verify the actual number of days of service rendered by the applicant as a casual mazdoor and accordingly consider his case for grant of temporary status/regularisation in accordance with his seniority and as per the extant scheme/instructions.
3. Admittedly there were long breaks in the engagement of the applicant as a casual mazdoor. It is for the respondents to consider whether any break in such engagement has to be condoned in accordance with the extant instructions.

O.A. is ordered accordingly. There shall be no order as to costs.

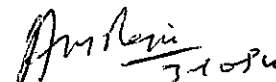
  
(A.B. GORTNI)  
Member (Admn.)

  
(A.V. HARIDASAN)  
Member (Judl.)


Dated 27th September, 1994

(Dictated in Open Court)

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Dy. Registrar (Judl.)

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OA 105791

Typed by  
Checked by

Compared by  
Approved by

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR.A.V.HARIDASAN : MEMBER(J)

AND

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

Dated: 27/9/94

ORDER/JUDGMENT.

M.E./R.P/C.P/No.

O.A.NO.

105791

T.A.NO.

(W.P.NO.)

Admitted and Interim Directions  
Issued.

Allowed.

Disposed of with Directions.

Dismissed.

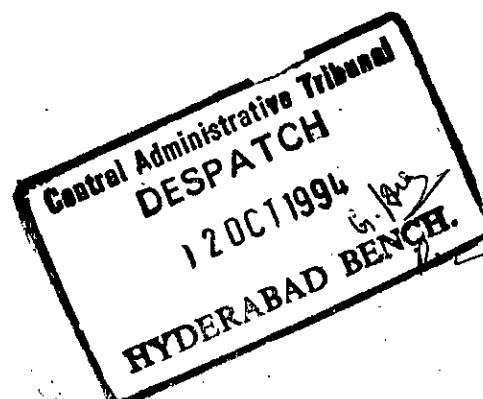
Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

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3/10/94