

(21)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH  
AT HYDERABAD

D.A.No. 812/92

T.A.No.

Dt. of Decision: 26-11-92

Smt. Anjani Bai

Petitioner

Mr. C. Suryanarayana

Advocate for  
the Petitioner  
(s)

Versus

1. SDOT, Phones, KNL

Respondent.

2. Asst. Engineer, % TDM, Kurnool.

3. TDM, Kurnool 4. Chairman, Tel. Commission, New Delhi.

Mr. M. Jagan Mohan Reddy.

Advocate for  
the Respondent  
(s)

CONRAM:

THE HON'BLE MR. R. Balasubramanian, Member (Admn.)

THE HON'BLE MR.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether their Lordships wish to see the fair copy of the Judgment?
4. Whether it needs to be circulated to other Benches of the Tribunal?
5. Remarks of Vice-Chairman on Columns 1,2,4 (to be submitted to Hon'ble Vice-Chairman where he is not on the Bench.)

avl/

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HRBS  
M(A)

(22)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

....

OA No. 812/92

Date of Judgement 26-11-92

BETWEEN

Smt. Anjani Bai : Applicant

AND

1. The Sub-Divisional Officer,  
Phones, Kurnool
2. The Asst. Engineer (Admn.)  
% TDM, Kurnool.
3. The Telecom District Manager,  
Kurnool-518 001.
4. The Chairman, Telecom Commission  
(Representing Union of India),  
Sanchar Bhavan, New Delhi-110 001.

: Respondents

COUNSEL FOR THE APPLICANT : Mr. C. Suryanarayana

COUNSEL FOR THE RESPONDENTS : Mr. M. Jagan Mohan Reddy

CORAM

Hon'ble Shri R. Bala subramanian, Member (Admn.)

(Judgement of the Single bench delivered by Shri  
R. Balasubramanian, Member, Admn.)

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This application is filed with a prayer  
to declare the termination of the applicant's service  
by verbal orders as illegal and void.

The applicant's husband who was working  
in Telecom Department had been conferred temporary  
status by an order dated 29-3-90 of the Respondent 3.  
On 20. 7.90 while on duty, the applicant's husband  
died due to electrocution, whereupon in pursuance  
of the letter No. 268/365/88-STN dated 7-5-91, the  
applicant was employed as casual worker from 6-7-91.

contd....2

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All of a sudden, the applicant's services were terminated by the respondents. Vide his letter dated 29-4-92, the Asst. Engineer (Admn.), % Telecom District Manager, Kurnool intimated the applicant that it is not possible to employ her as casual mazdoor in the Department in view of the CGMT letter No. TA/RE/20/Rlgs. dated 13-3-92. Hence this OA.

Heard Shri C. Suryanarayana, learned counsel for the applicant and Shri M. Janagan Mohan Reddy, learned counsel for the respondents.

I have seen the letter dated 13-3-92 of the CGMT which is an endorsement of the decision of the Department of Telecom in letter No. 268/365/88/STN dated 3.1.92. This letter states that the scheme of grant of casual employment to the ward of the deceased temporary status mazdoor would be implemented only from the date 7-5-91 i.e. the date of issuance of those instructions. I have also seen the letter dated 7-5-91. There is no mention whatsoever in that letter about the date of effect of that letter. It is only in January, '1992 that the Department of Telecom took a decision to implement the decision from 7-5-91. In a similar case in the judgement dated 21-9-92 in OA 581/92, this Bench had held that the laying down of 7-5-91 as the <sup>cut off date</sup> ~~criteria~~ *in that case.* ~~was not applicable, in that case~~ since the applicant therein was <sup>already</sup> employed after 7-5-91 but before 3-1-92. The applicant before me is placed in the same circumstances and I, therefore, give the same direction in this case also to the respondents namely;

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(24)

I direct the respondents to reinstate the applicant as casual Mazdoor w.e.f. 1-5-92 notionally and direct the respondents to give the applicant the benefits of continuity of service from that date onwards for all purposes other than arrears. The applicant will not be entitled to any back wages from 1-5-92 till the date of reinstatement. I direct the respondents to reinstate the applicant within 2 weeks from to-day.

The OA is thus disposed of at the admission stage with no order as to costs.

A copy of the order may be given to the applicant's counsel tomorrow itself.

*R. Balasubramanian*

(R. Balasubramanian)  
Member (Admn.)

Open Court dictation

Dated 26th November, 1992.

826/11/92  
Deputy Registrar (J)

NS

- To
1. The Sub-Divisional Officer,  
Phones, Kurnool.
  2. The Asst. Engineer (Admn),  
O/o TDM, Kurnool.
  3. The Telecom District Manager, Kurnool-1.
  4. The Chairman, Telecom Commission  
Union of India, Sanchar Bhavan, New Delhi-1.
  5. One copy to Mr. C. Suryanarayana, Advocate, CAT. Hyd.
  6. One copy to Mr. M. Jaganmohan Reddy, Addl. CGSC. CAT. Hyd.
  7. One spare copy.

pvm

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furnish - today

TYPED BY

(3)

COMPARED BY

CHECKED BY

RVS  
26/11/92

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : HYDERABAD

THE HON'BLE MR

AND

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

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY:  
M(JUDL)

AND

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

Dated: 26 - 11 - 1992

~~ORDER~~/JUDGMENT:

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

in

O.A. No. 812/92

T.A. No.

(wp. No )

Admitted and interim directions  
issued.

Allowed

Disposed of with directions

~~Dismissed~~

Dismissed as withdrawn

Dismissed for default

M.A. Ordered/Rejected

No orders as to costs

pvm

