

(7)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH: AT  
HYDERABAD.

C.A.NO.825/92.

DATE OF JUDGMENT: 19-09-95.

BETWEEN:

1. Lolabhattu Suryachandra Raju
2. Kesanakurthi Baburao
3. Bantu Jegi Naidu

.. Applicants.

AND

1. Chief General Manager,  
Telecommunications, AP Circle,  
Hyderabad.
2. Sub Divisional Officer, Telecommunications,  
Narasipatnam-531 110, Visakhapatnam Dist.
3. Telecom District Engineer,  
Vizianagaram District,  
Vizianagaram - 531 202.
4. Telecom District Manager,  
Visakhapatnam-530 020.

.. Respondents.

COUNSEL FOR THE APPLICANT: SHRI P.B. Vijaya Kumar

COUNSEL FOR THE RESPONDENTS: SHRI N.R. Devaraj,  
Sr/xxxx.CGSC.

CORAM:

HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

Judgement

( As per Hon. Mr. Justice V. Neeladri Rao, V.C. )

Heard Sri P.B. Vijaya Kumar, learned counsel for the applicants and Sri N.R. Devaraj, learned counsel for the respondents.

2. These three applicants applied for the post of Telephone Operators in Telegraph Department in response to an advertisement in the News papers. The candidates selected to the extent of vacancies were placed in 'A' list and they were appointed after regular training. 'B' list was prepared to the extent of 50 per cent of the vacancy in 'A' list. They were being considered in place of dropouts if any in the 'A' list. Candidates in the 'B' list were also being utilised as Short Duty Telephone Operators (SDTO) and some of them were being appointed as Telephone Operators after undergoing training against the subsequent vacancies when arisen. These applicants were not included either in 'A' list or 'B' lists that were prepared for the vacancies up to the first half year of 1981.

3. But these applicants were appointed as SDTOs on casual basis during 1980-81 and 1981-82 and they were paid wages on hourly basis.

4. The request of the applicants to appoint them as Telephone Operators on regular basis in view of their engagement as SDTO on casual basis. But as this Tribunal directed the appointment of casual SDTOs who figured as applicants in TA.21/87 and OA.600/89, as Telephone Operators, this OA was filed praying for a direction to the respondents

to extend the benefit of the judgement dated 29-1-1992 in OA.600/89 and the judgement dated 16-10-1987 in TA.21/87 to the applicants herein also with all consequential and attendant benefits.

5. It is manifest from the judgements in TA.21/87 and OA.600/89 that the applicants therein also were neither in 'A' list nor in 'B' list but were appointed as SDTOs to tide over the shortage. The plea of the applicants therein was that they have to be engaged as regular Telephone Operators, as those in 'B' list who were engaged as SDTOs were being appointed as Telephone Operators on regular basis. Thus, the applicants herein are situated similar to the applicants in TA.21/87 and OA.600/89.

6. But even in Postal Department, 'A' list is prepared for the posts of Postal Assistants to the extent of vacancies and 'B' list is prepared for 50% of the number in 'A' list and those in 'B' list are engaged in short duty and they are also being appointed as regular postal assistants if vacancies arise till the date of fresh notification. But even in postal department, those who are not included in 'B' list were engaged on short duty on casual basis whenever a shortage is felt. Some such employees were engaged on Short duty as Postal Assistants filed OA.1138/91 on the file of this Bench praying for a direction to the respondents to appoint them on regular basis. One Bench of Hyderabad has accepted the said plea and passed order to that effect but the same was stayed by the Apex Court as per order in SLP No.17422 of 1995.

7. Hence, we feel that it is just and proper to dispose this OA as under :

In case the SLP.17422 of 95 is going to be dismissed, the respondents herein have to appoint these applicants as

Telephone Operators and their appointments will come into effect from the date of assuming the post on receipt of the appointment order. But in case the said SLP is going to be allowed, this OA stands dismissed. If any modified order is going to be issued in the said SLP, the applicants herein also have to be given the same benefits. No costs.

8. OA is ordered accordingly. //

CERTIFIED TO BE TRUE COPY

Date.....

Court Officer  
Central Administrative Tribunal  
Hyderabad Bench  
Hyderabad

To

1. The Chief General Manager,  
Telecommunications, A.P.Circle, Hyderabad.
2. The Sub Divisional Officer, Telecommunications,  
Narsipatnam-531 116, Visakhapatnam Dist.
3. The Telecom Dist.Engineer, Vizianagaram Dist.  
Vizianagaram-202.
4. The Telecom District Manager, Visakhapatnam-020.
5. One copy to Mr.P.B.Vijayakumar, Advocate, CAT.Hyd.
6. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
7. One copy copy to Library, CAT.Hyd.
8. One spare copy.

pvm

Case Number	925/92
Date of Judgment	19.9.95
Copy sent to	11.10.95

OA restored to file

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TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR :  
M (J)

Dated: 6/11/97

ORDER/JUDGMENT

~~M.A./R.A./C.A.~~ NO. 87/97

O.A. NO. 825/92<sup>in</sup>

Admitted and Interim Directions  
Issued.

Allowed *RA Disposed.*

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

*Postp*  
*list the OA in*  
*FM 20-11-97*

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YLKR

II Court

