

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.837/92

date of decision : 23-8-1993

R. Krishna

: Applicant

versus

1. The Sub-Divisional Officer
Telecom
Narsipatnam
Visakhapatnam

2. The Divisional Engineer
Telecom
Anakapally
Visakhapatnam

3. The District Manager,
Telecom
Visakhapatnam District
Visakhapatnam

4. Chief General Manager
Telecom
Hyderabad
A.P. Circle

5. The Director General
Telecom
Sanchar Bhavan
New Delhi 110 001

: Respondents

Counsel for the applicant : V. Venkataramana,
Advocate

Counsel for the respondents : N.V. Raghava Reddy,
Addl. SC for Central Govt.

CORAM

HON. MR. JUSTICE V. NEELADRI RAO, VICE CHAIRMAN

HON. MR. P.T. THIRUVENGADAM, MEMBER (ADMINISTRATION)

Judgement

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

Heard Sri V. Venkataramana, learned counsel for the applicant and Sri N.V. Raghava Reddy, learned counsel for the respondents.

TSR/

2. This OA is filed praying for a direction to the respondents to appoint the applicant as Mazdoor by including his name in the seniority list of Mazdoors in the appropriate place with all consequential benefits. The applicant was first engaged as casual labour in Visakhapatnam Telecom District. While the applicant claimed that he worked for a total ^{period} of 270 days till 30-5-1992, it is stated for the respondents that the applicant worked for only 133 days till May, 1992. Be that as it may, it had to be made clear that for the purpose of inclusion of name of casual mazdoor in the seniority list no minimum period of service is prescribed. It is clear even from the Serial No.117 in Annexure-3, wherein the name of the mazdoor was included in the seniority list when he worked for ^{only} 27 days. Thus, the various grounds referred to in the counter i.e. the applicant absented himself for the work from January, 1991 to June, 1991 and he was in the habit of asking for work whenever he was in need of money and he was engaged whenever extra labour was required cannot be held as relevant for consideration as the applicant had to be included in the seniority list of casual labourers. Hence, it is necessary to give a direction to the respondents to include the name of the applicant in the appropriate place in the seniority list and he had to be engaged as casual labourer as and when his ^{turn} term comes.

3. The applicant submitted some documents to show that he worked in February and March, 1991 also. It is open for the applicant to submit the documents available with him before R-1 for determining the total number of days for which ^{he} (the applicant) was engaged as casual mazdoor in Vizag Telecom District and on that basis he had to be given appropriate place in the seniority list.

2-28-92

4. In the result, R-1 is required to calculate the total number of days for which the applicant worked as casual ~~ma~~door in Vizag Telecom District after perusing the records available with them and also the documents that are going to be filed by the applicant and he had to be given the appropriate place in the seniority list of Telecom District, Visakhapatnam. The applicant had to be given work as ~~and when his term~~ ^{turn} as per seniority list arises.

5. The OA is ordered accordingly. No costs.

P.T. Thiruvenkadam
(P.T. Thiruvenkadam)
Member (Admn.)

V.N.Rao
(V. Neeladri Rao)
Vice Chairman

Dated : August, 23, 98
Dictated in the Open Court

8/10/98
Dy. Registrar (Jud.)

sk

Copy to:-

1. The Sub-Divisional Officer, Telecom Narsipatnam, Visakhapatnam.
2. The Divisional Engineer, Telecom, Anakapally, Visakhapatnam.
3. The District Manager, Telecom, Visakhapatnam District, Visakhapatnam.
4. Chief General Manager, Telecom, Hyderabad A.P. Circle.
5. The Director General, Telecom, Sanchar Bhavan, New Delhi-001
6. One copy to Sri. V. Venkateswara Rao, advocate, CAT, Hyd.
7. One copy to Sri. N.V. Raghava Reddy, Addl. CGSC, CAT, Hyd.
8. One copy to Library, CAT, Hyd.
9. One spare copy.

Rsm/-

*28/8/98
Parle 10/93*

Q. A. 837/92

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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. GORTHY : MEMBER (A)

AND

THE HON'BLE MR. T. CHANDrasekhar REDDY
MEMBER (JUDL)

AND

THE HON'BLE MR. P. T. MIRUVENGADAM : M (A)

Dated: 23/8/1993

ORDER/JUDGMENT:

M.A/R.A/C.A.N.

O.A. No.

837/92

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.

