

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A.No.887/92

Date of Order: 26.10.1992

BETWEEN:

Abdul Syed Pasha

.. Applicant.

A N D

1. Sub Divisional Officer,  
Telecommunications,  
Gadwal.
2. Telecom District Engineer,  
Mahabubnagar.
3. The Chief General Manager,  
Telecommunication, A.P.Circle,  
Hyderabad.
4. The Director General Dept.,  
of Telecommunication,  
New Delhi.

.. Respondents.

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Counsel for the Applicant

.. Mr.K.Venkateswara Rao

Counsel for the Respondents

.. Mr.N.R.Devraj

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CORAM:

HON'BLE SHRI T.CHANDRASEKHARA REDDY, MEMBER (JUDL.)

--- T.C.R.

Copy to:-

1. Sub Divisional Officer, Telecommunications, Gadwal.
2. Telecom District Engineer, Mahabubnagar.
3. The Chief General Manager, Telecommunication, A.P. Circle, Hyderabad.
4. The Director General Department of Telecommunication, New Delhi.
5. One copy to Sri. K.Venkateswara Rao, advocate, CAT, Hyd.
6. One copy to Sri. N.R.Devaraj, Sr. CGSC, CAT, Hyd.
7. One spare copy.

Rsm/-

Order of the Single Member Bench delivered by  
Hon'ble Shri T.Chandrasekhara Reddy, Member (Judl.)

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This is an application filed under Section 19 of the Administrative Tribunals Act to declare the action of the respondents in terminating the service of the applicant as Casual Mazdoor as per the orders dated 30.9.1992 passed by the respondents as illegal, arbitrary and discriminatory and to direct the respondents to continue the applicant and to pass such other order or orders as may deem fit and proper in the circumstances of the case.

2. We have heard today Mr.K.Venkateswara Rao, Advocate for the applicant and Mr.N.R.Devraj, Standing Counsel for the respondents.

3. Mr.K.Venkateswara Rao maintained that similar O.A. 899/92 had been disposed of by Division Bench of this Tribunal as per orders dated 16.10.1992 and that the present OA also may be disposed of by giving the same directions as in the said O.A.899/92. Mr.N.R.Devraj, Standing Counsel for the respondents maintained that the applicant had approached this Tribunal without exhausting the alternative remedy and in view of this position that this OA is liable to be dismissed. But, this OA is covered in all respects by the Judgement in O.A.899/92. <sup>So</sup> We are of the opinion that appropriate relief can be granted to the applicant even though the applicant had not exhausted the alternative remedy before approaching this Tribunal. Hence we proceed to dispose of this OA by giving very same directions as given by the Bench in O.A.899/92.

4. Hence we direct the respondents to continue the applicant as Casual Mazdoor provided (1) there is work (2) his juniors are continued. The parties shall bear their own costs. Furnish a copy of this order to applicant's counsel by tomorrow.

T - Chandrasekhara Reddy  
(T.CHANDRASEKHARA REDDY)

Member (Judl.)

Dated: 26th October, 1992

Deputy Registrar (S) 827/10/92  
Comd. 3)